The Nation.

NEW YORK, THURSDAY, MAY 13, 1886.

The Week.

THE President's action in vetoing two private pension bills which recently passed Congress is likely to call a halt on the recklessness of pension legislation. The lecture which he reads the members upon the gross carelessness with which such bills are rushed through by wholesale is severe, but it is well deserved. Mr. Cleveland's course about these minor measures furnishes ample evidence that the raids upon the Treasury threatened in the arrears scheme and other vast jobs will meet effective opposition in the White House, if the demagogues succeed in rushing them through Congress.

The new rule reported by Mr. Morrison, providing that all bills increasing pensions or creating new pensions shall be open to amendments imposing new taxes to furnish the money to pay them, does not go far enough. Every such bill ought to be sent to the Committee of Ways and Means, and this committee ought to be required to report the taxes believed to be necessary to meet the expenditure. Then the two propositions would be voted on together. It is said that the Republicans in the House do not relish the proposed rule. They want to have plenty of pensions without any increase of taxes. Well, there is one way to accomplish this, and we hope to see some brave man, like Mr. Hiscock or Mr. Reed, propose it. Let him introduce a bill to stop payments on the public debt in order to pay more pensions. A better way still would be to suspend the silver coinage. This would make room for $24,000,000 of new pensions. One thing is certain. If there is to be any considerable increase in pensions, there must be taxes to correspond or a heavy reduction of disbursements elsewhere.

The House of Representatives has done its share toward making a raid upon the national Treasury by passing a River and Harbor Bill of most extravagant proportions. This great log-rolling scheme calls for over $15,000,000, which is at the very least twice as large an amount as could justifiably be called for. Mr. Holman, of Indiana, tried hard to have the bill sent back to the committee with instructions to cut it down to $8,000,000, but only 85 members voted for this proposition, against 157 for the measure as it stood. Upon the final vote 143 Representatives supported the grab, and 102 opposed it. As there is little doubt about its success in the Senate, we may count upon the legislative department of the Government doing its best to rifle the Treasury. But, fortunately for the taxpayers of the country, another branch of the Government must give its approval before the money can be got at, and we much mistake the character of President Cleveland if he does not interpose a decided objection, which, as Thursday's vote in the House showed, would prove fatal to the steal. Not the least among the advantages flowing from Mr. Blaine's defeat is the fact that the people have now a representative in the executive chair who can be relied upon to protect them from the reckless demagogues, whose $15,000,000 river and harbor log-rolls and $300,000,000 pension-arrears scheme threaten the financial integrity of the nation.

The seizure of the American fishing schooner *David J. Adams* by the Dominion authorities for violation of the Treaty of 1818 gives New England Congressmen a chance to "show off" as defenders of the national honor, but it will hardly lead to war, or even to a rupture of commercial relations with Great Britain. The facts in the case are very simple. The Treaty of 1818 provides that American fishermen may enter the bays or harbors of her Majesty's dominions in America to seek shelter, repair damages, purchase wood and obtain water, but "for no other purpose whatever." The offending schooner entered for the purchase of bait, which is clearly in violation of the last clause, although it is claimed that the universally recognized principle of commercial freedom involves the right to enter for such purchase. But a United States statute provides that any vessel intending to touch at a foreign port and purchase goods there shall obtain a permit from the Collector of Customs of the port whence she sails, setting forth her intention, while the schooner in question had no such permit, and her master had fastened canvas over her stern to prevent identification, apparently because he knew that he had not complied with the law. The investigation which will be made by our authorities will undoubtedly lead to an amicable settlement of the pending controversy, and an arrangement which will prevent similar disputes in the future, without the necessity of enacting any retaliatory legislation, although not of course without "letting the eagle scream."

The utter collapse of the Jefferson Davis sensation is a striking evidence that the country has finally emerged from the sectional epoch in politics. Nothing could have happened which would show what the sentimental reception of the old man really meant, better than the fact that the most gushing participant in the demonstrations was that representative Southern Republican, General Longstreet, of Georgia, who brought out his Confederate uniform for the occasion. As though this were not enough to close the mouths of Northern Bourbons, who hoped that something was to be made out of the tour for the benefit of the Republican party, the two most prominent Republican papers in the South, the Wheeling (W. Va.) *Intelligencer* and the Louisville (Ky.) *Commercial*, were prompt to ridicule the idea of attaching any importance to the incident.

The riots in Cleveland, Chicago, and Milwaukee are producing a rapid change of opinion about the partition of Poland. It has hitherto been considered by the bulk of the American people a monstrous crime on the part of the three Powers which took part in it. But the events of the last few weeks are leading many to condemn the Powers for not having gone further and partitioned the individual Poles as well as Poland. One hears everywhere very severe comments on their action, from this point of view. But this is unjust. The Poland which was partitioned was the Poland of the nobles; the Poles who are bomb-throwing and roving around with red flags in the West are drawn from the ranks of a very ignorant and degraded peasantry, for whose barbarism the present owners of Poland are responsible.

Unlike Illinois, Wisconsin has a Governor to be proud of. As we have more than once pointed out, the chief responsibility for the long continuance of the disturbances growing out of the strikes in the former State rests upon the Executive, Richard J. Oglesby, whose course from the very first has been pusillanimous and promotive of disorder. With a man of the Oglesby type in the Executive chair of Wisconsin, the metropolis of that State would be to-day at the mercy of a blood-thirsty mob. But Jeremiah M. Rusk is a man of a different sort. A stage-driver and a frontier tavern-keeper in early life, he soon won the respect of the pioneers in his vicinity, and his good sense commended him to the people of the whole State as he became more widely known through service in the Legislature. A brave soldier in the Union army, he knows what war is, and understands that the only way to deal with a band of rioters is by the use of cold lead. When trouble was threatened in Milwaukee a few days ago, he went at once to the city, summoned a sufficient force of militia to suppress disorder if it should break forth, and, when the mob sallied forth in the morning bent on rapine and slaughter, he ordered that the troops should fire to kill. A single volley at long range showed the mob that the troops "meant business," and broke the backbone of the insurrection against authority. When a Polish Alderman went to the Governor and remonstrated with him, he told his visitor to go back and tell his countrymen that he would stop these riotous demonstrations if he had to call every able-bodied man in the State into military service to do it; and when the Alderman went away and began threatening on the streets that the militia should suffer for their action, the authorities notified him that he would be arrested on the charge of inciting a riot if he did not stop.

Some friends of "Labor," among whom we are surprised to see the name of Mr. Henry George, are trying to persuade themselves that it is possible in labor troubles to make a distinction between a little intimidation and a great deal—that is, between boycotting and bomb-throwing. But the point is too fine for popular apprehension. There is no difference except one of degree between concerted illegal attempts to injure any citizen in his person, property, or reputation. If we allow any committee or combination, for any

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purpose whatever, to engage openly in the work of destroying a man's business or extorting ransom from him to prevent its destruction, or to fill his life with terror by threats or denunciations, we cannot in practice put any limits to its power. Outside the law and the Constitution there are no metes or bounds to the exercise of power, and no possibility of tracing them. The Constitution says that no man shall be deprived of life, liberty, or property except by due process of law, and that even when convicted of an offence by due process of law, cruel or unusual punishment shall not be inflicted, nor excessive fines be imposed on him. It is these provisions which make the United States a free country, and a more attractive residence than Russia or Turkey. They do not say that a man may occasionally have his property taken away from him, or have excessive fines inflicted on him now and then, or that he may be kicked and cuffed on such conditions as trades unions may from time to time prescribe. They say that nothing of the kind shall ever take place, on any pretext whatsoever. Nor do they allow even judges or juries to inflict what penalties they please, or inflict any penalty without proof of legal guilt. Everybody who is charged by the law with the duty of doing anything unpleasant to any citizen, has the extent of his power and the conditions under which it may be exercised strictly defined. There is no discretion left in the matter to anybody.

When we get outside the law, and begin to allow ever so little intimidation or coercion to be practised by either individuals or organizations for purposes of their own, we begin a descent at the bottom of which is anarchy—that is, arson, pillage, and murder, revolvers, rifles, and bombs. Grant that intimidation may be practised in order to compel a man to do something which he does not wish to do, by his rivals, or enemies, or employees, and the amount and kind of intimidation become at once dependent on the resistance he may offer, or the greed or unscrupulousness of his persecutors. If distributing abusive handbills about him will not suffice, he must have his customers frightened into leaving him, and his provisions stopped. If this will not do, he must be cudgelled, and his furniture and machinery smashed, and his factory burnt. If the police enable him to disregard all these things, the police must be shot or blown up. We see illustrations of all these stages of descent in the strikes of the past few weeks. Intimidation in the hands of the more intelligent strikers consists in attempts to destroy the business of those who refuse to employ them on their own terms, by trying to divert custom from them, or, in other words, by simple "boycott." In the next grade it takes the form of assault and battery and the smashing of machinery and furniture; in the next state, it consists in riotous and armed assemblages declaring war against the whole social organization. It is mere folly to suppose that we can in this country have a little lawlessness, or have lawlessness for special occasions and no others. It is something from which communities must abstain altogether if they do not mean to drink deep of it.

Alabama has had no trouble with boycotting yet, but if this crime is attempted in that State there will be no question about its receiving proper punishment. The last Legislature passed the following "act to encourage industry in the State of Alabama":

"Any person who shall, by force or threats of violence to person or property, prevent or seek to prevent any person, firm, or corporation engaged in any lawful business, or who shall in like manner disturb, interfere with, or prevent the peaceful exercise of any lawful industry, business, or calling, by any other person within the State of Alabama, shall be guilty of a misdemeanor, and on conviction must be fined not less than $10 nor more than $500, and may also be imprisoned in the county jail or sentenced to hard labor for the county for not more than twelve months."

No State has yet been heard of which has not upon its statute-book provisions which fully cover the crime of boycotting.

Bradstreet's collection of statistics of the eight-hour movement shows that the total number of workmen engaged in it in all parts of the country is 325,000. The demand for shorter hours has been conceded to 150,000 without a strike and to 35,000 after striking, leaving 140,000 still on strike or defeated. The trades in which the movement has been most successful are those connected with house building, agricultural-implement makers, furniture making, and machinery building. These are trades not subject to foreign competition. In those which are subject to such competition, either in the way of exportation of the domestic product or of importation of the foreign, the movement has met with little success. In some cases the employers have yielded in consequence of contracts on hand which must be filled, but have notified the men that they shall return to ten hours when the contracts are completed, or close the works. The whole movement is in fact experimental. In those branches of industry which yield sufficient profit to warrant an increase of wages—for that is what shorter time most commonly signifies—the increase will be granted. In others it will not be granted, or, if granted temporarily, it will be withdrawn hereafter. While a great deal of loss always attends such experiments, there is nothing to be urged against them so long as the rights of neither party are invaded and the law is not violated. The principal part of the loss proceeds from the stoppage of machinery. A deduction of 20 per cent. from the producing power of the Pullman Car Works, for example, means much more to the community than a reduction of one-fifth of the laboring force. But this is no valid argument to be addressed to a man who prefers not to work more than eight hours out of twenty-four.

When Master-Workman Powderly is sensible, he is very sensible; but when he is foolish, he can be as foolish as any fool in the country. His motto seems to be to throw energy into everything—good, bad, or indifferent. In the early part of the Southwestern strike, he talked like a philosopher; but when he found the strikers would not obey him, and that they had to be humored, he showed that he could be as silly and inaccurate as any of them. When that affair blew over, however, he at once recovered his wits, and the "secret circular" which was printed on Monday is really full of "horse sense." To be sure, there is nothing in it which would not be mere platitude in the mouth of any man but a Knight of Labor; but, coming from a Knight, after all that has happened and the exhibitions the Knights have been making of themselves, it has an air of almost superhuman wisdom. That it should be necessary, however, to give the Knights such simple, homely advice, sounding so like the address of the Superintendent of a Sunday-school to troublesome boys, shows what a huge job of education Mr. Powderly has undertaken. We wish him all success in it, but must strenuously oppose the suggestion of one of the Curtin Committee that he should be allowed to revise the Constitution of the United States. The pretensions of the Knights have been sadly lowered since then.

The events of the past fortnight have damaged other champions of labor besides Mr. Powderly. Martin Irons has vanished from the proud position he held for a few weeks. He evidently dislikes manual labor as much as anybody, however, and does not mean, glorious though it be, to do any more of it than he can help. He says he is now going to devote himself to "lecturing and organization." He received very large sums of money during the strike, of which no account was probably rendered to anybody, and he will perhaps work out the amount in denunciations of capital. Another great fall is that of O'Donnell. He appeared on the surface as a street rioter only six weeks ago, and then had a short period of great power and glory, in which he threatened to suspend all means of conveyance in this city, and hurled defiance at the Grand Jury and in fact the whole American people, and repeated poetry about the state of his heart, and carried a sheaf of greenbacks under his arm. Now he is deposed as a traitor, and has been deprived of all his honors. He is probably comfortably provided for, but if he had to rely on regular industry of any kind, the best thing he could get would probably be the drivership of a bobtail car. There is nothing the cause of labor needs so much as distrust of the gift of the gab; and now that the funds of labor organizations are growing, there will be terrible competition for the handling of them among the restless, windy demagogues who hate honest toil, in all the shops in the country.

The "private understandings" between the Knights of Labor and their employers generally fill so large a space in the "grievances" of the day, and lead to so much confusion and loss of time, that it would seem as though a rule should be promulgated by Mr. Powderly or some other competent authority, that in cases of negotiation, arbitration, and settlement everything should be reduced to writing, and that the committees appointed to consider labor troubles of any kind whatsoever should refuse to consider anything not recorded in black and white. When Mr. Powderly found that the Knights at St. Louis would not obey his orders after his conference with Jay Gould, he

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remembered that his understanding with Gould was, that Hoxie should arbitrate with persons not in the employ of the Missouri-Pacific Company, although Gould had in his possession a telegram from Powderly's secretary to Martin Irons affirming the contrary. So also it appears that one of the moving causes of the rejection of the Third Avenue settlement by the Empire Protective Association, according to the *Herald's* report, was that "Mr. Lauterbach had promised on the part of the company many things that had not been put in the agreement, but which Downing said that he and his colleagues believed would be carried out. The men admitted that if the company could be trusted the agreement was all right, but the men, they said, had been so frequently deceived by the Third Avenue Company that they would not trust them for anything except it was put in writing. It was this omission that the men complained of, and they were very much surprised that O'Donnell should have accepted verbal promises when he knew whom he was dealing with." If the Knights of Labor are seriously in favor of arbitration as a means of settling labor troubles, they must begin by casting out "private understandings." Arbitration is a quasi-judicial proceeding. No court would allow one of the parties to a controversy to bring in new matter after the case was closed; least of all, recollections of things not remembered by the other party.

The Third Avenue Knights have refused to ratify the agreement made by their Committee. They have given as their reason for refusing that the agreement "compromises the individual reputation of our members and is degrading to the manhood of our noble order." This is a point upon which they are the sole judges. If any man or collection of men deem their honor compromised by any project offered for their acceptance, it is both their right and their duty to reject it. Nobody else is entitled to express any opinions upon such a subject, and accordingly we shall express none. Their sense of honor would be more highly appreciated by the community if it were not prefaced by a protest against the practice of arming the drivers and conductors of street-cars with pistols, as tending to create riots and bloodshed. This unwholesome proceeding on the part of the Third Avenue Company is looked upon as threatening the public peace, and is denounced vigorously. There is a very simple recipe for this evil, and that is for all persons to avoid pulling armed drivers and conductors off their cars and to refrain from attacking them. Let the strikers remain at home or in their own committee rooms and cherish their honor, leaving the new drivers and conductors the equal privilege of cherishing theirs. In this way the average manhood of the community will be raised and all breaches of the peace will be avoided. If reading matter is wanted by men who refuse to work for $2 per day, we commend to all such the touching narrative sent to Congress by the weavers of Philadelphia, who are thankful to get employment at 80 cents per day, and who complain that many of their number cannot find work even at that rate.

What is alarming Europe in the determination of the Greeks to go to war is their apparent complete indifference to the advice, or remonstrance, or even coercion of the Powers. Their ports are now blockaded, but the war fever seems to grow stronger all the while, showing, it is supposed, either that they are satisfied that the coercion will go no further than the blockade, or that there is somebody behind Greece far mightier than she is, who has promised if she fights to see her through. The general impression is, of course, that this somebody is Russia; that she is going to do for the Greeks what she did for the Servians—that is, wait till they begin to be worsted and then step in to put an end to the Mussulman atrocities, and this time put an end also to the Ottoman Empire in Europe. Last time she came very near doing it. The minarets of St. Sophia were in sight from the Russian camp when the treaty of San Stefano was signed. Another march would have carried the Russian headquarters to Stambul. That he allowed himself to be stayed by Beaconsfield's threats was something which the late Emperor was said always to have deeply regretted. It was a mistake which his successor would undoubtedly not commit under similar circumstances.

Irish home rule seems from the last advices to be in a more perilous condition than ever, owing, apparently, to Mr. Gladstone's failure to make any formal offer of a compromise to the Chamberlain Radicals. That he is willing to make modifications in the bill there appears to be no doubt, but he is unwilling to produce them until it gets into the Committee of the Whole, where it will be thoroughly overhauled. But Mr. Chamberlain and his followers are not willing to wait. They want to know before the second reading what is to be the full measure of the concessions to be made to them, leaving only the details for discussion in the Committee. Mr. Gladstone's refusal to gratify them has bitterly disappointed them, and has apparently turned many waverers against the scheme altogether. This, at all events, appears to be true of political men in London.

Whether it is true of the voters in the provinces—that is, whether they are not perfectly willing still to confide in Gladstone's discretion—remains to be seen. Until now, in spite of the great uproar made by the metropolitan critics of the plan, there has been no sign of any weakening of Mr. Gladstone's hold on the Liberal constituencies. Mr. Chamberlain was beaten on the question of supporting the Premier in his own Birmingham caucus, and more signally beaten still at the great Liberal Convention, formed of delegates from all the caucuses, plus the Liberal members of Parliament, held in London last week. He there had to submit to the mortification of hearing the epithet "traitor," levelled at him by one speaker, received with deafening applause. It consequently would be hasty to assume that Gladstone is really checked, or that one of those wonderful reactions which have so often plucked him from the jaws of failure, may not set in before the vote on the second reading and bear down all opposition. The debate will probably last a fortnight or three weeks, and the number of speakers on both sides will be very large, and it is quite fair to assume that the Ministry will be much helped by the oratory of the Opposition. In other words, the more the opponents of home rule talk, the worse they fare. They consist of two classes of orators and writers, one of which confines itself to simple abuse of the Irish *en masse*, like Mr. Bear, who, in the last number of the *Fortnightly Review*, declares that the Irish who favor the change—that is, the great majority of the people who returned 85 out of 103 members to the present Parliament—are a "crowd of Fenians, and priests, and rogues, and paupers." This is the favorite argument in the clubs, but it exasperates the working-class Radicals, who dislike seeing a whole people indicted. The other class, which concedes that there is something good in the Irish, and that home rule ought to be granted, is so barren in suggestion that the more it talks the more apparent the poverty of its resources becomes, and the more wonderful Gladstone's constructive genius seems.

The main—in fact, one might say the only—question on which those who favor home rule at all, differ among themselves, is that of Irish representation at Westminster. The Chamberlainites say that what they seek is federation, while what Mr. Gladstone proposes is separation. They want to have a certain number, at least, of Irish members remain in the imperial Parliament to deliberate and vote on imperial concerns, in which Ireland must, willy nilly, continue to be deeply interested. There is a great deal of force in this view, and it probably commands the support of the great bulk of the English and Scotch Liberals, and will finally be accepted by Mr. Gladstone himself. The Irish, however, object to anything of the kind, at least for the present, on grounds which are undoubtedly very reasonable. They say that, for well-known reasons, the bulk of the educated class in Ireland are not enlisted in the Nationalist movement, and would not at first lend much aid in making it a success. This would, in spite of the fact that Ireland now provides more than her share of the talent and capacity which are to be found in the British service, leave the new Irish government very slenderly equipped, for a while at least, with legislative ability. There would be about enough, and none too much, the Parnellites say, for the Parliament in Dublin, which would have to deal at once with many perplexing domestic problems. Where they would find fit representatives to send to Westminster they say they do not know, and fear that if they now try to man two Parliaments, the Irish cause will be discredited in one or the other. They therefore propose that the arrangements for Federal representation should be postponed until the home government is in working order. All this is very fair, and a satisfactory solution would doubtless be easily reached if the Irish were approached, by either English party, in a conciliatory spirit and on a footing of equality.

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SUMMARY OF THE WEEK'S NEWS.

[WEDNESDAY, May 5, to TUESDAY, May 11, 1886, inclusive.]

DOMESTIC.

IN vetoing a special pension bill on Saturday President Cleveland said: "The policy of frequently reversing, by special enactment, the decisions of the bureau invested by law with the examination of pension claims, fully equipped for such examination, and which ought not to be suspected of any lack of liberality to our veteran soldiers, is exceedingly questionable." He added: "There have lately been presented to me on the same day for approval nearly 240 special bills, granting and increasing pensions, and restoring to the pension list the names of parties which for cause have been dropped. To aid Executive duty they were referred to the Pension Bureau for examination and report. After a delay absolutely necessary they have been returned to me within a few hours of the limit constitutionally provided for the Executive action. Two hundred and thirty-two of these bills are thus classified: Eighty-one cover cases in which favorable action by the Pension Bureau was denied by reason of the insufficiency of the testimony filed to prove the facts alleged. These bills I have approved on the assumption that the claims were meritorious, and that on the passage of the bills the Government has waived full proof of the facts. Twenty-six of the bills cover claims rejected by the Pension Bureau because the evidence produced tended to prove that the alleged disability existed before the claimants' enlistment. Twenty-one cover claims which have been denied by such bureau because the evidence tended to show that the disability, though contracted in the service, was not incurred in the line of duty. Thirty-three cover claims which have been denied because the evidence tended to show that the disability originated after the soldiers' discharge from the army. Forty-seven cover claims which have been denied because the general pension laws contain no provision under which they could be allowed, and twenty-four claims have never been presented to the Pension Bureau. I estimate the expenditure involved in the bills at more than $35,000 annually. Though my conception of public duty leads me to the conclusion, upon the slight examination which I have been able to give to such of these bills as are not embraced in the first class above mentioned, that many of them should be disapproved, I am utterly unable to submit within the time allowed me for that purpose any objections to the same. They will therefore become operative without my approval."

The Senate on Wednesday amended the fourth section of the Inter-State Commerce Bill, which made it unlawful for any common carrier to charge more for a shorter than a longer haul over the same line, in the same direction, from the same original point of departure, by striking out the words "from the same original point of departure."

The House of Representatives on Thursday, by a vote of 143 to 102, passed the River and Harbor Bill, appropriating over $15,000,000.

The House Committee on Education has made one more effort to act upon the Educational Bill, but without success.

The indications now are that the attempt to secure the passage of the bill to construct a new navy will be abandoned for this session. It is said without much hesitation by the Democratic leaders that it will be necessary to prevent any more legislation which takes any considerable sum out of the Treasury.

The protectionists claim that an agreement has been reached between the Morrison and the Randall factions that the Tariff Bill shall not be brought up at this session.

The Gloucester, Mass., fishing schooner *David J. Adams* was seized at Digby, N. S., on Friday by the Canadian steamer *Lansdowne*. She is charged with purchasing bait within the forbidden limits. The U. S. Government will have the seizure investigated.

The New England Representatives in Congress were very busy on Monday introducing resolutions relating to the fisheries. No attempt was made to secure action upon any of the propositions submitted. They all asked for investigations. The Secretary of State has anticipated all of these suggestions by ordering an investigation to be made through the consular offices. It appears that the seized vessel, the *David J. Adams*, had not the permit to trade which Senator Frye considered quite important.

In Milwaukee on Wednesday two bands of rioters were fired upon by the militia. Three men were killed and a number injured.

Milwaukee remained orderly on Thursday. Troops continued to guard the threatened establishments. Several Socialist leaders were arrested. The firm stand taken by Gov. Rusk contributed greatly to the early settlement of the riotous disturbances.

In Chicago quiet was preserved throughout Wednesday. Spies, Fielden, and Schwab, three of the Anarchist leaders, were arrested. The Board of Trade raised $12,000 for the benefit of the families of policemen injured or killed in the riot of the previous night. Other contributions increased it to about $40,000.

The Chicago police discovered more dynamite machines on Friday. More Anarchists were arrested. Two of the rioters were fined $100 each. The Socialist organ, the *Arbeiter Zeitung*, reappeared on Friday in a reduced form. The keynote of its leading article was: "Forward! and unhesitatingly forward, in spite of the chicanery of the ruling classes."

More than 100 metal workers and other large manufacturers, employing over 12,000 hands, met in Chicago on Saturday, and decided to open their shops on Monday on the basis of ten hours' work for ten hours' pay. All men who desire to resume work can do so. If they fail to come back within a week, the shops will close, and the men out will be put on the black list, which will bar them from employment at other factories. This system of self-defence by employers is growing popular.

Quiet was also maintained in Chicago on Thursday and continues. An incendiary fire was started in a lumber yard, but discovered in time to prevent serious damage. An Anarchist saloon was raided during the day, and a dozen stands of rifles seized. The Knights of Labor issued a circular protesting against all acts of violence.

The striking freight-handlers at Chicago on Sunday made an unconditional surrender to the railroads. This action was brought about by the refusal of the switchmen to join the strike. On Monday all the railways in the city resumed operations, and accepted and carried all freight offered.

The Trades Assembly of Chicago held a meeting on Monday night. While no final action was taken, the general sentiment of the meeting seemed to be that a complete backdown on the eight-hour question was advisable. Men are resuming work in all classes of trades, and it is believed that the backbone of the strike is broken.

The city of Cleveland was flooded with Socialist circulars on Wednesday night.

The Cincinnati Police Commissioners have discovered that Socialists, to the number of 600, are organized, armed with effective rifles; that they control there the manufacture of dynamite bombs; that the one used in Chicago was made there, and they have now on hand for use a supply of these infernal machines. These discoveries alarmed the authorities, and militia and policemen were kept under arms night and day to suppress an outbreak. No trouble has, however, occurred.

A long secret circular from Grand Master Powderly to all the Knights of Labor was published on Monday. In it he deprecates all boycotting except that on drink. He says: "Let me direct your attention to a few little abuses: I find that wherever a strike occurs, appeals for aid are scattered broadcast among the assemblies. Do not pay one cent for such purposes in future unless the appeal comes from your own District Assembly or the General Assembly. If boycott notices are sent to you burn them. I have in my possession 400 boycott notices which were sent to assemblies with a request that they be acted upon. In fact, our order has been used as a tail for a hundred different kites, and in future it must soar aloft free from all of them. I hate the word boycott. If the men who possess money enough to buy guns and dynamite would invest it in the purchase of some well-selected work on labor, they would put the money to good use. They will never need the guns or dynamite in this country. It is my opinion that the man who does not study the politics of the nation and the wants of the people would make but little use of a rifle. The man who cannot vote intelligently and who will not watch the man he votes for after he is elected, cannot be depended on to use either gun or dynamite. If the head, the brain of man cannot work out the problem now confronting us, his hand alone will never solve it."

In the case of Wó Lee, appellant, against the Sheriff of San Francisco, decided by the United States Supreme Court on Monday, the plaintiff had been convicted under an ordinance of San Francisco prohibiting the carrying on of a laundry in a frame building, and sent to prison. The Supreme Court holds the ordinance to be a discrimination against the Chinese, and therefore illegal and a violation of the Fourteenth Amendment to the Constitution.

The annual meeting of the New York Civil-Service Reform Association was held on Thursday night. Mr. George William Curtis delivered an address, in which he discussed the question how the Association might best help the President. He suggested that, as a practical measure, the Association could do all in its power to effect the repeal of the four years' law. The President would be relieved of much pressure from those continually asking change of office. In another way the Association should support the bill making it almost a penal offence for Senators to solicit nominations to offices. The President had told him that a judgeship had been delayed a year because he refused to name a man in whom the Senator from that State was interested. "Men will see the day," said Mr. Curtis in conclusion, "when non-political offices will be filled by merit." The following officers were chosen for the coming year: President, George William Curtis: Vice-Presidents, Carl Schurz, Charles S. Fairchild, Roswell D. Hitchcock, John Jay, William E. Dodge, Oswald Ottendorfer, Horace E. Deming, and Orlando B. Potter.

The Protestant Episcopal Convention in Philadelphia on Thursday, on the ninth ballot, elected the Rev. Phillips Brooks, D.D., of Boston, Assistant Bishop of the diocese, with the right of succession to Bishop Stevens.

The cost of investigating the Broadway Railroad scandal has been as follows: Counsel fees of Roscoe Conkling and Clarence A. Seward, $40,000; stenographer, $2,800; personal expenses of members of the Senate Railroad Committee, $600; rooms in New York Hotel for sessions, board of stenographer, and clerk, $700; assistant sergeant-at-arms, $800; assistant sergeant-at-arms and experts (detectives), $800; book expert, $700; printing, $2,400; total, $48,800.

The subscribers to the Prize Fund Exhibition this year were twenty-four in number, the New Yorkers including H. G. Marquand, John Taylor Johnston, W. E. Connor, Sidney Dillon, and Jay Gould. From these twenty-four have been chosen the judges, the prizes offered being $2,000 each. The awards made are to C. F. Ulrich, "Glassblowers of Murano"; F. D. Millet, "At the Inn"; C. P. Grayson, "Mid-

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day Dreams;" and Edward E. Simmons, "Mother and Child."

A fearful storm of wind, rain, and hail visited Kansas City on Thursday, destroying many buildings in the north end of the city. Twenty people were killed and many more injured. Leavenworth, Kan., and other towns in that State and Missouri suffered serious damage by the storm.

FOREIGN.

The reply of the Greek Prime Minister to the Powers was delivered on Thursday night, and was considered by them inadequate. On Friday the Ministers of the Powers left Athens. Greek troops were hurried to the front where Turkish troops were massing. The Greek Government announced its intention of defending Greek territory against any and all advances by foreign soldiers.

On Saturday Germany, Austria, England, Russia, and Italy notified Greece that a blockade of her ports had been ordered. The Turkish cavalry had advanced to the Greek border. Turkey is supposed to have 120,000 troops on the frontier, Greece about half that number.

The foreign fleet on Sunday blockaded the Greek coast. The Government warned all vessels that if they left port it would be at their own risk. The commercial world is excited. Premier Delyannis tendered his resignation on Sunday, but it was not accepted. Turkey and Greece are hurrying troops to the front. It is rumored that Russia is secretly supporting Greece. On Monday the Greek Ministers insisted on resigning, and at noon the King accepted the resignations. He immediately commissioned M. Rikakis to form a new Ministry. Turkey sent a note to Greece explaining that the withdrawal of the Turkish Minister from Athens was a step taken simply to act in concert with the Powers, and was not intended to indicate a rupture of the relations between the Porte and Greece.

The Porte on Tuesday notified the Powers that a body of Greek irregulars was advancing toward the frontier, and that Turkish troops had been ordered to repel it.

The meeting of the Council of the National Liberal Federation of Great Britain in London on Wednesday was crowded by delegates from the different local caucuses and party members of the House of Commons. When it became evident that the party was falling well into line on Mr. Gladstone's policy, the enthusiasm became uproarious. The principal resolution offered declared that a permanent settlement of the Irish question should be attempted on the basis of giving the Irish people control of their domestic affairs, and recognized the Government bill at present before Parliament as a foundation for such a settlement. The resolution also expressed confidence in Mr. Gladstone, but requested him to accept such amendments to his bill as would enable the Liberals to agree to the measure. The amendments suggested embraced provisions retaining the Irish members at Westminster, insuring the authority of the Imperial Parliament, and the principle that taxation and representation go together. This was evidently a feeler to find out Chamberlain's strength in the meeting, and it received only twenty-five votes. The announcement was received with cheers. An amendment was next offered declaring that the time had arrived for a permanent settlement of the Irish question, thanking Mr. Gladstone for the introduction of his bill as a basis of settlement, and expressing unabated confidence in the Government. This was carried as a substitute for the original resolution without opposition and amid wild enthusiasm. It is believed in London that a complete reunion of the Liberal party is now being arranged.

In reply to a letter asking him if he would support the Home-Rule Bill on its second reading, provided it be considered a simple affirmation of the principle of home rule, Mr. Chamberlain writes to Mr. Bolton, M. P.: "If Mr. Gladstone will maintain the Imperial Parliament as the supreme representative authority in the kingdom, I will gratefully accept the concession and vote for the second reading of the bill. But I am unable to find in Mr. Gladstone's manifesto any such assurance. He asks us to grant Ireland the right to manage her own affairs. But if geographical considerations must yield to national sentiment, then the prayer of Protestant Ulster for separate consideration deserves equal attention to that given the demands of the population which Mr. Parnell represents. The fate of Ulster lies in its own hands. I have maintained my position against the bill as proceeding on lines of separation or colonial independence, instead of federation. I have considered the full representation of Ireland in the Imperial Parliament too important a detail to leave for the committee. The question must be settled on the threshold of the discussion. The extension of home rule to Scotland and Wales depends on the maintenance of a united representation of the three countries in one supreme Parliament, leading to a future federation of the great dependencies of the Crown and the welding of them into a mighty and harmonious empire. Mr. Gladstone's alternative has rendered necessary anomalies and restrictions which no true Liberal will approve. He has produced a halting measure which offers no reasonable prospect of a final settlement, and which is certain to be a fulcrum for future agitation. He has brought us within a measurable distance of civil war, threatening the ultimate creation of a foreign hostile nation, whose reconquest is actually contemplated as a possible eventuality by the promoters of the measure. So long as uncertainty prevails in matters of such paramount interest, it is impossible for those who value the unity of the empire to affirm the principle of the bill. But if, as you anticipate, the Prime Minister should find himself in a position to make the concession which has been pressed upon him by so many of his most earnest local supporters, I share your hope that the present imminent danger of a fatal breach in the ranks of the Liberal party will be happily averted." The concession alluded to is, of course, the retention of the Irish members at Westminster.

Michael Davitt has written a letter declaring in favor of Mr. Gladstone's proposals and against Mr. Chamberlain's. In the House of Commons on Thursday night Mr. Chamberlain gave notice that he would move the rejection of the Land-Purchase Bill.

Lord Tennyson has joined the Loyal Irish Patriotic Union, the object of which is to resist the granting of home rule to Ireland.

Mr. Gladstone, in moving the second reading of the Home-Rule Bill in the House of Commons on Monday night, made the following reference to the modifications he was willing to concede: The bill provides that Ireland shall not be excluded from imperial affairs. Clause 29 provides for a recall of the representatives in both houses of the Irish Parliament before the Parliament can proceed to the alteration of a statute upon which the two countries do not agree. Another clause provides that on certain conditions the Irish Assembly may vote sums of money for purposes excluded from its ordinary cognizance. He trusted that should Great Britain be involved in a great war, when Ireland would be exposed to the common danger, the Irish Assembly would respond to a message from the Crown by voting money to prosecute the war. Though abiding in the principle that the Irish members should not sit in the Imperial Parliament, the Government was willing to meet the difficulty by providing that when it was proposed to alter the taxation of Ireland relating to the customs and excise duties, Irish members would be enabled to appear in Parliament and share in the debate. The Government was also willing to appoint a joint commission from the English and Irish Parliaments, which would meet from time to time to consider some questions of imperial or common interest. No great question, such as succession to the Crown, ought to fall under the discussion of this secondary authority, but many questions, such as treaties of commerce, might require direct communication between both Parliaments. He would, therefore, propose, on behalf of the Government, some plan of this kind. He proceeded to explain that the Government remained undecided as to the conditions under which Irish members or an Irish commission should appear in the Imperial Parliament. The Government did not consider this to be a vital point. In his opinion, if the Irish members came back in any numbers, it would be necessary to devise a new system of election. He should certainly have no jealousy of the Irish members. If they should reappear in their force, he would rather have them amply than scantily and jealously treated. In conclusion Mr. Gladstone declared that the main object of the bill was to abolish, root and branch, the discontent prevailing in Ireland, and to restore social order by the removal not merely of the symptoms, but of the causes of that discontent.

Mr. Gladstone's reference to the crucial question of the retention of the Irish members at Westminster was heard in dead silence. When it was realized that he had laboriously left things much where they were before, only adding that the Government would be open to consider any suggestions made in a subsequent committee on the bill, immense disappointment was shown in the House. Mr. Chamberlain had prepared to speak, accepting the terms. One of his supporters had arranged to follow him. Everything was upset by Mr. Gladstone's speech. Mr. Labouchere, who had acted as the go-between for the Government and the various sections of its opponents, came out into the lobby, complaining that he had been made a fool of. For some time the excitement ran high. It is believed that without a change on the part of Mr. Chamberlain's followers the bill is dead.

Queen Victoria opened in person the Liverpool International Exhibition on Tuesday. She was enthusiastically welcomed.

Shelley's tragedy "The Cenci" was performed at Islington on Friday night, before a brilliant audience, including Mr. Browning and Mr. Lowell. Miss Alma Murray as *Beatrice* and Mr. Vezin as the *Count* aroused great enthusiasm. The acting of the tragedy occupied four hours.

Dr. Oliver Wendell Holmes arrived at Liverpool on Sunday. A distinguished party met him on a special boat. The *Standard* on Monday, referring to his arrival, said: "The *Cephalonia* has landed a guest as honored as any who has crossed the Atlantic within the memory of the present generation."

The new French loan was issued on Monday morning. By 2 P. M. the subscriptions aggregated thirty times the amount of the loan.

The Belgian Premier has announced that a loan of $8,600,000 would be issued to provide work for unemployed artisans and laborers.

The Spanish Cortes was reopened in Madrid on Monday. Señor Sagasta read the speech from the throne. The Government, it states, is studying the Socialist question in view of the importance which that question is assuming abroad. A measure will be submitted prolonging all treaties of commerce. The financial policy of the Government has been arranged to avoid an increase of taxation. It is stated that the treaty with America has not yet been signed, and that the negotiations continue.

The news from Burmah on Wednesday was very sensational, and showed that the natives, with the assistance of the Dacoits, had, temporarily at least, got the better of the British army of occupation. One despatch stated that the insurgents had got possession of Mandalay and had burned 4,000 houses. The officers commanding the British forces telegraphed to Lord Dufferin, the Viceroy, for aid.

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THE ROOT OF THE TROUBLE.

The striking switchmen in Chicago have been denouncing the action of the mob in that city as "an irredeemable injustice to the organizations and working people of Chicago," and "an insufferable insult to the liberties of all." The District Assembly No. 24 of the Knights of Labor have also issued a circular denouncing the mob, and declaring that they have "neither sympathy nor affiliation with any class of men who set law and order at defiance," and that they have "consistently and persistently deprecated a resort to violence." The Buffalo strikers have passed resolutions of the same sort. This is all very proper, and we have no doubt that the great bulk of the Knights of Labor are sorry for and shocked by what has happened in Chicago, and are sensible of the injury it will do to what is called "the cause of labor."

But it is due to the cause of order, which contains not only the cause of labor but many other good causes, to say that deprecatory resolutions about violence will do no good, no matter how many District Assemblies may pass them, as long as the Knights of Labor keep alive, as the working hypothesis of their organization, the notion that a man has a right to be hired on his own terms by another man, whether the other man wants him or not; that, in short, a laborer's or mechanic's place is a piece of property which he is entitled to hold as long as he pleases, and which the employer has no right to take away unless he goes out of business. In domestic service and in small shops this right is not asserted; but it is in all or nearly all the great establishments and enterprises in the country in which many men are employed. As a rule, whenever any large body of hired men make demands on their employers about hours, or wages, or processes, with which the employer refuses to comply and they strike, the strike is not, as it ought to be, a simple failure of business men to agree on a bargain. It is, in the eyes of the men, a declaration to the world that they are the victims of some kind of wrong; that the employer has taken from them something which rightfully belongs to them, and which, if the law were what it ought to be, he would be compelled to restore. They therefore fill the air with denunciations of him, and with appeals to the public and to the Legislature and the Railroad Commissioners and the press for sympathy and support in compelling him to come to terms or disgorge, and to carry on his business in the manner which the strikers think best. They hang round his premises, or post "pickets" round them to watch what he is doing, precisely as if he had a lot of stolen goods which he would dispose of secretly if not watched. They accuse him, in the newspapers and in speeches, of all sorts of offences—such as cruelty, injustice, breach of promise, falsehood, treachery—and urge his customers to punish his infamy by not purchasing his goods. Now there is, we venture to assert, not a Knight of Labor in the country, from Grand Master Workman Powderly down to the humblest Outside Esquire, who does not hold, or sanction, or in some manner countenance this view of the rights of "labor." No strike ever occurs in which they do not bolster up, by subscriptions or denunciations, the theory that the strikers have a right on their own terms to the places they have left, and that it is a fraud or grievous wrong of some kind for the employer to fill them with other people, and that the Legislature, or Congress, or the Railroad Commissioners, or Eternal Justice, or somebody ought to step in and prevent it.

We say unhesitatingly that as long as this doctrine is held and acted on by the labor organizations, strikes will continue to be what they are now, incipient or inchoate riots; and strikers, in a vast majority of cases, rioters waiting for a chance to commit violence. It is this doctrine which puts a large force of police on duty wherever a strike occurs, and which inflicts on us the shameful spectacle of public vehicles travelling with armed guards in the streets of a great city, like the diligences in old times in the mountains of Spain and Sicily.

Nor is there anything surprising about this. A very large proportion of the strikers in all trades are ignorant men. They are all poor men. To fill their minds with the idea that they have a right to be hired by another man, whether he wants them or not, and to stay in his service until they themselves choose to leave, and when they do leave to have the places kept vacant for them until they signify their readiness to come back—to fill their minds with this idea, and then expect them to look calmly on while the employer does what he pleases with their property, is expecting too much of human nature. Their state of mind under such circumstances is naturally and inevitably one of readiness for violence or proneness to violence. Every brickbat and loose paving-stone they see is a temptation to violence. The mere sight of the police enrages them, as representing force in the service of fraud. Until the trades-unions somehow or other get rid of this absurd and anti-social theory; until they extirpate it from their heads, books, papers, and documents, and take their stand simply as organizations of American business men with a commodity for sale, there will be little use in their protesting so much against the bombists. As long as they hold it they will wail in vain over the conduct of the wicked outsiders, who get up riots for the discredit of the strikers, while the strikers are in their halls studying political economy and thinking out the labor problem.

BOYCOTTING OF CHINAMEN ILLEGAL.

It has been demonstrated upon the Atlantic Coast during the past few weeks that boycotting is a crime, to be punished by the laws of the land, like any other crime. While public attention in this part of the country has been engrossed by the boycotting of white citizens, the people of the Pacific Coast have been informed by high judicial authority that the boycotting of yellow aliens is also in violation of law. This decision has thus far, we believe, received no notice in the East, but the full text of the Judge's opinion shows that it merits the attention of the whole country.

Thomas Baldwin was brought upon a writ of habeas corpus before the United States Circuit Court for the Ninth Judicial Circuit, over which Lorenzo Sawyer presides, in the California District, District Judge Sabin sitting with the Circuit Judge. Baldwin had been arrested under a warrant issued by a United States Commissioner, upon the charge of conspiring with a number of other persons to deprive certain Chinese, who resided in the town of Nicolaus, Cal., but were not citizens of the United States, of their right to reside and pursue their lawful vocations in that town, and of actually depriving them of such right by forcibly expelling them from their homes and from the town, in pursuance of such conspiracy, thereby depriving them of their rights and privileges under the laws, and of the equal protection of the laws, guaranteed to them under our treaty with China. The charge was founded upon section 5519 of the Revised Statutes of the United States (commonly known as the Kuklux Act), which reads as follows, the portion applicable to this case being printed in italics:

> "*If two or more persons in any State or Territory conspire*, or go in disguise on the highway or on the premises of another, *for the purpose of depriving, either directly or indirectly, any person or class of persons of the equal protection of the laws, or of equal privileges and immunities under the laws;* or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to all persons within such State or Territory the equal protection of the laws; *each of such persons shall be punished by a fine of not less than* $500 *nor more than* $5,000, *or by imprisonment, with or without hard labor, not less than six months nor more than six years, or by both such fine and imprisonment.*"

Judge Sawyer declared that there could be no doubt that the acts charged were within the provisions of this section, and that, if the provisions, so far as they embrace Chinese aliens, were constitutional and valid, these acts constituted very grave offences against the United States. He therefore addressed himself to a careful and candid inquiry as to this question of constitutionality. The Supreme Court of the United States decided a few years ago that this section was unconstitutional and void so far as it applies to citizens of the United States within a State, in a case (brought under the Fourteenth Amendment) known as the Harris case; the Court holding that this Amendment was aimed only at *State* action, and did not apply to unlawful combinations of individual citizens against other citizens, acting wholly without color of law or authority of the State. The section was declared unconstitutional solely on this ground; the provisions of the Amendment authorizing appropriate legislation to enforce it being considered to extend no further than to protect the rights expressly provided for in the Amendment.

The California case stood upon an entirely different basis. The persons against whom the conspiracy was aimed were Chinese aliens, who did not rely upon the Fourteenth Amendment alone, or indeed at all, except so far as the right to enjoy all the privileges and immunities of citizens and the equal protection of the laws is implied from its provisions recognizing the rights, by protecting them from hostile State legislation. The Chinamen relied mainly upon other express provisions of the Constitution, especially that found in article 6, which says that "all treaties made or which shall be made under the authority of the United States, shall be the supreme law of the land, and the judges in every State shall be bound thereby, anything in the Constitution or laws

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of any State to the contrary notwithstanding"; and the provision in section 8 of article 1, that Congress "shall have power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, *and all other powers* vested by this Constitution in the Government of the United States, or in any department or officer thereof."

It is thus obvious that whenever a treaty is ratified between the United States and any foreign nation it becomes the supreme law of the land, and that not only State laws, but even State constitutions, are subordinated to it. The Supreme Court has held that "rights and immunities created by or dependent upon the Constitution of the United States can be protected by Congress," and the rights and immunities guaranteed by the treaty with China are of course "dependent upon" the Constitutional provision regarding treaties quoted above, and consequently "can be protected by Congress." Baldwin's counsel had suggested that Chinese aliens on this principle would be better off than American citizens, but the Judge disposed of this claim very summarily. In the first place, he said, "it is presumed that the State will protect its own citizens, while long experience shows that it will not always protect foreigners against the prejudices and hatred of citizens"; but, in the second place, "whether the suggestion of counsel be true or not cannot affect the question, for the State has surrendered its power over the intercourse of its citizens with foreign nations to the National Government." The power to make treaties, and to grant rights within the States to aliens under treaties, involves necessarily the power to protect those rights, when granted, against the acts either of the States or of the citizens of the States. "There can be no doubt," said Judge Sawyer, "that making the violation of any rights so secured by the Constitution and treaties 'made under the authority of the United States' by a combination of individuals a criminal offence against the nation, and punishable as such, as is provided by section 5519, is a proper mode of protection."

By article 5 of the Burlingame treaty, "the United States and the Emperor [of China] cordially recognize the inherent and inalienable right of man to change his home and allegiance, and also the mutual advantage of the free migration and emigration of their citizens and subjects respectively, from the one country to the other, for the purposes of curiosity, of trade, or as permanent residents." Article 6 of the same treaty secures to Chinese residents "all privileges, immunities, and exemptions enjoyed by the citizens and subjects of the most favored nation." The amended treaty of 1880 adds the still more comprehensive word "rights" to the words "privileges, immunities, and exemptions," and expressly provides that "Chinese laborers who are now in the United States shall be allowed to go and come of their own free will and accord." Article 3 of the latter treaty is as follows:

"If Chinese laborers, or Chinese of any other class, now either permanently or temporarily residing in the territory of the United States, meet with ill-treatment *at the hands of any other persons*, the Government of the United States will exert all its power to devise measures for their protection, and to secure to them the same rights, privileges, immunities, and exemptions as may be enjoyed by the citizens or subjects of the most favored nation, and to which they are entitled by treaty."

What some of the rights thus secured by treaty to the Chinese are, will appear from an examination of the existing treaty with Great Britain, which provides that:

"The inhabitants of the two countries respectively shall have liberty freely and securely to come with their ships and cargoes to all such places, ports, and rivers in the territories aforesaid [of the United States and Great Britain] to which other foreigners are permitted to come, to enter into the same, and *to remain and reside in any parts of the said territories respectively.*"

Judge Sawyer proceeded to apply these principles to the case in hand, as follows:

"Thus the United States Government has, by these treaties, made in pursuance of the Constitution and under the authority of the United States, imposed upon itself the express obligation 'to exert all its power to devise means for their [Chinese residents'] protection,' and to secure them 'the *rights*, privileges, immunities, and exemptions' to which they are entitled where such Chinese residents 'meet with ill treatment *at the hands of any other persons*,' as well as in consequence of unfriendly legislation by the States. This right is not limited to State action, as the Fourteenth Amendment was held to be limited, but it is expressly extended to individual acts. Among those rights is the right to select a place for *temporary or permanent residence*, and to reside and pursue their lawful vocations at the places so selected. Proper means for protecting these rights certainly include the enacting of criminal laws for enforcing, protecting, and securing the rights guaranteed by the treaties made in pursuance of the provisions of the Constitution. These Chinese residents of Nicolaus therefore had rights arising under and dependent upon the Constitution of the United States and the treaties made in pursuance thereof between the United States and the Emperor of China, which were violated by the acts charged upon which the arrest was made, and rights which it was competent for Congress to protect by legislation in a proper form, under the clause cited, which authorizes it 'to make all laws which shall be necessary and proper for carrying into execution the foregoing powers vested by this Constitution in the Government of the United States or in any department thereof.' And it was its imperative duty to protect such rights."

Judge Sawyer held that the case of these Chinese alien residents of Nicolaus was clearly distinguishable from that of United States citizens arising under the Fourteenth Amendment, which was considered in the Harris case, and rested upon other and further provisions of the national Constitution. Very properly, however, he considered the questions "of too vast consequence to be finally determined by a subordinate court," and he therefore allowed a writ of error to the Supreme Court of the United States, releasing the prisoner on his own recognizance until such decision should be rendered, and expressing the hope that the question might be promptly decided.

MUST WE HAVE ANOTHER INDIAN WAR?

HARDLY have the Chiricahui-Apaches disappeared from our Southern frontier, where, for the second time in one year, they have outwitted over-confiding and over-confident General Crook, when a new speck of war is visible in the same quarter. The most powerful tribe in the Territories adjoining Mexico, the numerous, well-armed, and comparatively "wealthy" Navajos, are said to be encroaching on the poor settlers of the San Juan country, and ready to support their encroachments with all the terrors of Indian warfare. The newly confirmed executive head of the Territory of New Mexico is placing full faith and credence in these alarming reports. There are rumors of militia movements, of local mobilization. The possibility of an outbreak is not to be denied; but its likelihood depends on the action, not of the Indian, but of the whites and of the Territorial authorities. It might become a very serious, even a very disastrous affair, for the Navajos cannot be easily trifled with. They are too numerous, too well supplied with Winchesters and with fleet stock, and, should they go to war, they are too closely connected with the Apaches.

The Navajos or Din-ne are the main stock of that Athapascan branch of Indians, speaking dialects of the Tin-ne language, which has spread to the southward as far as northern Mexico, and has, ever since the memory of man, been the scourge of this region under the name of Apaches and of Navajos proper. They first appear as Querechos in 1584, being thus called by Antonio de Espejo. Again, in 1598, Juan de Oñate includes them, with their congeners, the Jicarillas, as Apaches of the Mountains. In 1630, Fray Alonzo de Benavides calls them Apaches of *Navajo*, defining this latter word to signify "extensive cultivated fields." The word "Apache," as Mr. Cushing has satisfactorily ascertained, is of Zuñi origin, and designates in the idiom of that tribe the Navajos as well as their Southern cousins. "Apachu" means an enemy of the roving kind, or less stable at least than the Pueblos.

The hereditary enmity of these Tin-ne tribes was, for the Pueblos, a source of constant dread, often of utter ruin. It was not so much direct attack, onslaught in force, as constant harassing, which worried the village Indian, and drove him finally from place to place. The Apaches were too shiftless for congregating into large bodies, the Navajos too busy at home. But small war parties of the latter vexed the Pueblos constantly, destroyed their crops, or hung around their fields in such a manner as to impede cultivation, and finally to compel removal. If the Pueblos went out into the Navajo country as invaders, it was an easy matter for their enemies to waylay and overpower them by superior numbers. Thus they almost completely exterminated the tribe of Jemez in the beginning of the seventeenth century.

Notwithstanding their persistent hostility towards the more sedentary Indians, the Navajos stood, when the Spaniards first became acquainted with them, on a higher level of culture than the Apaches proper. They were great land tillers, they lived in dwellings underground, and had sheds for their crops and stores besides. They also were much more numerous. Had they broken out and scattered like the Apaches, they would easily have wiped out the feeble sedentary tribes. But, even in the seventeenth century, the Navajos had too much at stake to become essentially shiftless and constantly aggressive. Before the arrival of the Spaniards they already raised crops; after the whites settled in their neighborhood they acquired flocks. The first step in that direction was made about 1627, through the Church. Once acquainted with the utility of sheep, horses, and cattle, the Navajos eagerly sought to increase their number. "Raising" was not fast enough for them; it was easier to prey upon their old enemies the Pueblos. The Spaniards defended the latter, as they were in

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duty bound, and the result was, that the enmity of the Navajos became as bitter towards the whites as towards the village Indians proper. After the Spaniards had been driven out of New Mexico, the Navajos turned against the Pueblos alone.

The reconquest in 1692-94 inaugurated a system of Indian campaigns in defence of Pueblos and Spanish settlements. They achieved no reduction of the Navajos. On the contrary, as the colony, owing to the general weakening of Spain, grew more and more powerless, they became the aggressors and tormented it continuously, with few intervals of peace, even after the American annexation. The removal of the tribe from its original mountain-home to the hot and level district of the Bosque Redondo in 1865, threatened to check their agricultural tendencies. Since they were reinstated in their old domain in 1868, the present Navajo Reservation, they have always been peaceable as a tribe, and have in appearance made rapid progress. The fact is, that they merely returned to their original status of land-tilling aborigines, with the addition of more numerous herds of cattle, droves of sheep, and of better and finer horses. They irrigate to-day as they did formerly, they weave woollen blankets, and while some of them dwell in adobe houses, the majority still occupy the log-cabin, half dug-out, well known under the name of *ho-gan*. The Navajos, in addition, have money; they are the wealthiest tribe of the Southwest. At peace with their surroundings, the Navajos are yet prepared for war. Excellent fire-arms are plentiful among them, and so is ammunition. Unruly boys, criminals, have sometimes taken an active part in the depredations of their cousins the Apaches, but the tribe at large has never countenanced such excesses. Well prepared for the defensive, the offensive is distasteful to them because it would be ruinous to their interests and prosperity.

The reservation occupies a part of northwestern New Mexico and of northeastern Arizona, covering an area of about 2,100 square miles in each Territory. It is a cold mountain region, profusely covered with snow until late in the spring; its fertile valleys are adapted to agriculture. The northeastern corner, watered by the Rio San Juan, contains arable and irrigable tracts, and it is there that the trouble has arisen which, it is muttered, might culminate in a Navajo war. The truth of the matter is, that there are difficulties brewing between the Indians and whites in the San Juan country. But the latter, not the Navajos, have been and still are the aggressors. For some time past, American squatters have recklessly crossed the borders of the reservations, and "entered" and preëmpted lands. This is a clear and ruthless violation of the rights of the Navajos. There are instances where whites have squatted on ground actually used and cultivated by the Indians, seized their irrigating ditches, and appropriated the water therein to the detriment of the owners. These legitimate owners, the Navajos, have protested, civilly and kindly, but without avail. The American intruders have simply stuck, deaf to all remonstrances, to all entreaties. It is simply another instance of that outrageous and brutal process of crowding out, so famous and often so successful (with weaker and less permanently located tribes) in our intercourse with aboriginal populations.

It is said that the Governor of New Mexico sympathizes with the white trespassers to the extent of inclining toward affording them the aid of the Territorial militia, for the purpose of dispossessing the Navajos forcibly. This would be a most ill-advised move. The Indians are clearly in the right, and as yet stand on the defensive. Should they be attacked, they can bring to bear upon their assailants, in case of need, about five thousand warriors, able-bodied men, inured to hardships of every kind, and thoroughly up to every expedient of Indian strategy and tactics. Such a body of men, fighting for their homes, are more than a match for the bulk of Territorial militia. The Navajos are desirous of avoiding war. They have suffered and still suffer, rather than expose themselves to the effects of a collision. But the situation is gradually becoming unbearable to them, and they may at last resort to violence against the intruders, as they have a perfect right to do. A Navajo war would be the direst calamity which could befall New Mexico as well as Arizona. Should the whole tribe rise, then the Apaches are likely to follow suit, and then—? If Gerónimo, with his band of not over fifty, could create such a disturbance, how much damage will seven to eight thousand of the same kind create? In the end they would be conquered, but at what a fearful cost of life and property! Instead of upholding the claims of trespassing and law-breaking whites (so far as settlement on Navajo lands is concerned), the proper thing to do is to restrain these intruders, compel them to respect the rights of their Indian neighbors, and to let the Navajos severely alone.

THE "CHATTERBOX" TRADE-MARK CASES.

DURING the recent hearing before the Senate Committee on Patents upon the copyright bills, Mr. Dana Estes, of the Boston firm of Estes & Lauriat, made the statement that he was the publisher of the "only foreign book that ever had the benefit of the protection of American law." "By a series of accidents, perhaps, and perhaps some skill," he continued, "I have the right under American law—not statute law, but common law—of publishing the book I hold in my hand in this country." No doubt some of Mr. Estes's hearers received the impression from the above statement that the privilege he boasted of enjoying was due to a common-law right of literary property, and he failed to explain, as he might have done, that his protection was due to the law of trade-marks, and, therefore, in reality it was not his book which was secured to him at all, but only a trade-mark property in its title. The history of the publication in this country of the book referred to, the well-known *Chatterbox*, is not without interest, and, as related by Mr. Estes when before the Committee, may be summarized as follows:

The volume was first published in England as far back as 1868, the intention being by a careful and judicious selection of wholesome reading matter, made more interesting by well-executed illustrations, to furnish a substitute for the vicious cheap literature so freely circulated in England, corresponding to the wretched dime-novel of this country. The book became popular and began to be imported into this country, selling, at wholesale, for from seventy-five to ninety cents. Mr. Estes imported a number of copies in 1878, and, having disposed of them, found himself unable to obtain any more from the publisher, upon which he manufactured and issued an edition of 20,000 copies. He called the publisher's attention to this transaction, and proposed to him that if he would send over his stereotyped plates and authorize the American edition, the publisher of the latter would allow him threepence a copy for all sold in this country. This proposition was not immediately acceded to, and in 1879 a second American edition was published; but in 1880, Mr. James Johnston, the English publisher, according to Mr. Estes, assigned to the latter "all his rights and title in America to not only the book, but, as I required him, to the trade-mark of the word 'Chatterbox.'" This assignment, we learn from another source, was for a term of ten years from January 1, 1880. From that date Estes & Lauriat have yearly issued an authorized American edition of this popular book, which, according to the publishers' statement, has numbered from 50,000 to 100,000 copies, requiring an average use of 100 tons of American paper annually; and, although the wholesale prices have been reduced to from forty to sixty cents, and the English copyright and trade-mark proprietor has been paid out of the profits a royalty of from $3,000 to $5,000 per annum, a "good, handsome residue" has remained for the American publisher. The fact, according to this statement, that the only foreign book which has been protected from infringement by our courts has, since such protection, been sold for about two-thirds of the price obtained previously when it was subject to competition with other reprinted editions, should go far to assure those who have had fears that an international-copyright law would, of necessity, increase the price of foreign books.

But the example originally set by Mr. Estes of reprinting the work without authorization was followed by others whom he facetiously calls the "ubiquitous pirates," though he took pains especially to disclaim this appellation for himself. These reprints were also, no doubt, profitable; at any rate the publishers of them do not seem to have been willing peaceably to discontinue publication, whereupon suits were brought against them in the Federal courts. The first of these which we find reported—Estes and others vs. Williams and others (21 Federal Reporter, 189-190)—was decided in the Circuit Court for the Southern District of New York, July 31, 1884. The claim made by the defendants in this case was that, there being no American copyright to prevent, the defendants might print and publish the book in this country, and that if they had not the right to do so, at least the plaintiffs had no right to prevent them. Justice Wheeler held that

"There is no question but that the defendants have the right to reprint the compositions and illustrations contained in these books, including the titles of the several pieces and pictures. . . . That does not settle the question as to the right claimed here. There is work in these publications aside from the ideas and conceptions. Johnston was not the writer of the articles nor the designer of the pictures composing the books, but he brought them out in this form. The name indicates this work. The defendants, by putting this name to their work in bringing out the same style of book, indicate that their work is his. This renders his work less remunerative, and, while continued, is a continuing injury which it is the peculiar province of a court of equity to prevent. . . . Johnston had the exclusive right to put his own work, as his own, upon the markets of the world. No one else had the right to represent that other work was his; not the right to prevent the copying of his, and putting the work upon the markets, but the right to be free from untrue representations that this other work was his when put upon the markets. This gives him nothing but the fair enjoyment of the just reputation of his own work, which fully be-

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longs to him. It deprives others of nothing that belongs to them."

Considering next the question of the transfer of Johnston's right to the plaintiffs, the Court held that as he had the right to put his work upon the market as his, there was no apparent reason why he could not give the plaintiffs the right to put his work upon the market as his. To the objection made that the plaintiffs also trespassed upon Johnston's rights before they acquired them, the Judge answered, that if true they might be liable for the damages, but that such a trespass would not prevent them from acquiring a lawful right in a lawful manner. A decree for an injunction and an account was rendered.

A second case—Estes and others *vs.* Worthington—was decided in the Circuit Court for the Southern District of New York, January 5, 1885, and reported in 22 Federal Reporter, 822-823. Judge Wallace held that the validity of the complainant's title to a trade-mark in the word "Chatterbox" was established by the decision referred to above and was not open to controversy. But this suit was brought upon a motion for a preliminary injunction and was controverted upon the ground of laches, and this defence was sustained by the opinion of the Court:

"The only doubt as to the complainants' right to a preliminary injunction is suggested by the fact that the various publishers of such books since 1876 have been permitted without prosecution to apply the word to their publication of juvenile books in this country, and have used it as a trade-mark in hostility to the real proprietors; and among them were the complainants themselves, who did so for two or three years before they purchased the right of Johnston. Laches in prosecuting infringers has always been recognized as a sufficient reason for denying a preliminary injunction. . . . Where, as in this instance, the extensive use of the trade-mark by others with the implied acquiescence of the owner has contributed to give a reputation and create a demand for the article to which it has been applied which it would not otherwise have acquired, equity should not by any stringent intervention assist the owner to secure these fruits. The complainants do not occupy a position that commends them to a court of equity, because they seem to have refused to recognize the rights of Johnston, the original proprietor of the trade-mark, until they thought it would be more profitable to purchase his rights in this country and obtain a monopoly here in the use of the trade-mark."

The motion for a preliminary injunction was denied. A third suit, against Frank Leslie, the American News Company, and Patrick Farrelly, was decided by Judge Wheeler (United States Circuit Court for the Southern District of New York), April 8, 1886. The defence of laches was attempted in this suit also, but Judge Wheeler held that Johnston, the original proprietor, had vindicated his right as often as it was invaded to his knowledge up to 1880, when he transferred it to the plaintiffs, Estes & Lauriat, who since then have continually asserted it in one way or another. In this case the book defended seems to have been an independent American compilation of selections and illustrations, but imitating in form, style, and binding the original work, the most important difference being that instead of the simple title *Chatterbox* it was called *Frank Leslie's Chatterbox*, which, however, the Judge held, appeared to be done, "for the purpose of adding the reputation of Frank Leslie and of that publishing house to that of the *Chatterbox* rather than for that of building up a new reputation under that name. If nothing had been wanted of the popularity which had been acquired under it, and which it stood for, it could have been left and another name taken to build up."

A decree was rendered for an injunction and an account, with costs. A similar decree was granted by Judge Shipman, April 19, in a suit brought in the same court, against Belford, Clarke & Co., of Chicago.

HOME RULE.—OUTLOOK FOR THE SECOND READING.

LONDON, May 1.

THE "so-called holidays" are drawing to a close, and the party managers are counting up their losses and gains, with a view to the approaching struggle over the Irish Government Bill. Forty-one Liberal members of the House of Commons have declared against the bill; twenty or thirty more are understood to be hostile. These members represent a serious defection; but the eighty-six Irish votes will make up for all deficiencies, and the Government whips count on obtaining a majority of not less than ten for the second reading. It is quite impossible to say what may happen when the bill gets into committee. Mr. Morley anxiously assures his Liberal critics that the bill is not made of cast-iron; all reasonable amendments will be carefully considered. But the worst of it is, that the chief amendments already suggested are dangerous to the measure whether they are accepted or refused. If, for example, the Irish members are retained at Westminster, we lose the one argument for the bill which has most effect on the opinion of the British working classes, the argument on which Mr. Morley himself has consistently relied. If, on the other hand, the Government insists on the clauses which exclude the Irish members, they will almost be driven to admit that the bill is an instalment of separation. Mr. Justice Stephen, whose judicial dignity has not prevented him from taking an active part in this controversy, notes with malign satisfaction that the arguments for and against exclusion are equally conclusive and equally fatal to Mr. Gladstone's schemes. Again, it is tolerably plain that when the financial clauses of the bill are under discussion, Mr. Parnell will be compelled by Irish opinion to ask for better terms. If this demand is refused, it will be vain to pretend that the Irish have accepted the bill as a final settlement. But, on the other hand, it is not easy to make any further concession to Ireland without doing manifest injustice to the British taxpayer.

In spite of the activity displayed on both sides, the debate of the vacation has been characterized by a certain air of unreality. Nobody defends the two Irish bills as they stand; nobody expects them to pass. They are treated as a mere draft or sketch, subject to indefinite alteration; and Mr. Morley has gone so far as to contend that there is nothing to prevent Mr. Chamberlain from voting for the second reading of the Government bill. On the other side, the opponents of the two bills are almost equally vague. Mr. Chamberlain is "not irreconcilable." Even Lord Hartington has made one or two movements which lead people to think that he is beginning to swing round slowly with the tide. Among the Conservatives there is also a good deal of "fencing and skirmishing." Lord Iddesleigh and Sir Michael Hicks-Beach are put forward to make regulation speeches in defence of the Union, but Lord Randolph Churchill is unusually silent. The time may come when a Conservative leader will be wanted who can deal with home rule and land purchase on lines of his own. In Ireland itself things have been kept very quiet. Mr. Parnell and his friends are playing a somewhat delicate game, and a few imprudent speeches might do much to imperil the success which they have achieved. They must not show themselves too eager to accept Mr. Gladstone's offer; if they did so, they would come into collision with Mr. Davitt and other leaders of Irish opinion who regard this bill as a mere instalment of their rights. But the Parnellites must not be too free in pointing out the deficiencies of the bill; if they took this line, they would play into the hands of those British politicians who contest Mr. Gladstone's statement that his measure possesses the advantage of finality. Mr. Parnell occupies his usual position: he accepts all that Parliament will give, and reserves his right to ask for more.

If the Prime Minister can succeed in piloting his Irish Government Bill through the Commons, it will be amusing to watch its reception in the Upper House. Beyond the members of the Government there are probably not six Lords of Parliament who will vote for any measure of home rule. Lord Spencer's support has been immensely useful to Mr. Gladstone in the way of conciliating moderate Liberals generally, but even Lord Spencer will produce but little effect on the closed ranks of his own order. The ex-Ministers among the Liberal peers are the most intractable opponents of the Government. We look forward to one of those full-dress debates in which the Lords put forth all their powers, but the debating will be almost all on one side. Lord Granville will stand aside, in a politely sarcastic attitude, while his noble friends behind him—Argyll, and Selborne, and Derby, and Sherbrooke, and Grey—march up and down over the ruins of the bill. How will this demonstration affect the position of the House of Lords? That depends on the event of the next general election; and that again depends on forces which we are not yet in a position to estimate. If the Government went to the country to-morrow, I think it probable that their majority would be seriously reduced. There is no active enthusiasm about home rule, unless in the North of England, and even there the personal influence of Mr. Gladstone counts for more than the merits of his scheme. There is a very active dislike of home rule, and this feeling will be strong enough to deprive the Liberals of many good workers, and to turn the balance against them in many doubtful constituencies. At the last election the choice of candidates led to domestic difficulties in many places; at the next election the same difficulties will recur on a wider scale and in a more aggravated form. The Gladstonian section of the party will of course endeavor to get rid of every candidate who will not pledge himself to home rule; the Unionists will retaliate by refusing to work for any candidate who is not pledged against it.

We have already had a foretaste of these difficulties in the amusing quarrel which has taken place at Burnley. That stronghold of Lancashire Liberalism has been most faithful in its support of Mr. Peter Rylands, an unimpeachable Radical of the economical school. But Mr. Rylands will not hear of tampering with the Union; nor will he consent to lend either 50 or 150 millions sterling to any Irish Government whatever. Therefore he is, for the moment, under a cloud, and 3,000 of his supporters have been to Hawarden, to picnic under the trees and to demonstrate in favor of Mr. Gladstone. The Burnley Conservatives are delighted, and swear they will vote for Mr. Rylands to a man; but whether they will help him by doing so remains to be seen. Another comedy of the same kind has been presented in Edinburgh. The present Home Secretary, Mr. Childers, was returned for the southern division of the city by the Moderate Liberal vote, in spite of a strong Radical protest. Now the Whigs are dismayed to find themselves represented by a member of this home-rule Government; while the Radicals are coming round and would like Mr. Childers to give them an address on the beauties of Mr. Gladstone's Irish policy.

Our immediate prospects, then, are far from cheering. Until this question is disposed of, no other political work can be put in hand; and it

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can be disposed of only in two ways: either we must have a measure of home rule strong enough to pacify Irish opinion and relieve the pressure of Irish affairs on Parliament, or we must have a British party strong enough to be completely independent of the Parnellite vote. There is no chance at present of the Conservatives obtaining a majority over Liberals and Parnellites combined. There is no chance of the Liberals obtaining a majority over Conservatives and Parnellites combined, unless they can make up their minds to a definite programme and unite all the sections of Liberalism in support of it. But how is this union to be attained? Organization has been tried, on models borrowed, or supposed to be borrowed, from America. But the caucus has never worked quite successfully in England. The decisive vote in our elections is the vote of the people who object to be identified with associations and committees; and a single imprudent turn of the screw will send a great body of wavering opinion in some unexpected direction. Perhaps, then, if we wish to see our great parties united on definite principles, we must listen to the advice of Mr. Matthew Arnold, and begin to educate the mind of the British Philistine.

This will no doubt be a slow process, as Mr. Arnold's own fate seems to show. For the last quarter of a century he has been mildly reproaching us with our ignorance, and we have received his reproaches with stolid calm. And now he is writing in the *Nineteenth Century* to assure us that, whatever our Irish policy may be, we are doomed to failure; that Mr. Gladstone is no statesman, and that we never should have taken him for a statesman if it had not been for our total want of culture. It may be feared that this protest will fall as flat as the protest of Professor Huxley. Mr. Arnold's oracle will be accepted by the cultured persons who need no repentance. But then they do not need to be told that Mr. Gladstone is no statesman; they all think so already. The uncultured elector will believe in his leaders much as before; and the oracle is perhaps not so precise as we could wish in showing how this state of things can be altered for the better. R.

ITALY.—THE GENERAL ELECTIONS.

BOLOGNA, April 28, 1886.

AT last Signor Depretis has decided "on obtaining permission from the King to dissolve the Chambers and appeal to the country," or, to speak correctly, he has been compelled to do so by the House, the country, and the King. For the last four months anarchy has reigned supreme in the Chamber of Deputies, where from the commencement of the present Legislature there has never been a clear line of demarcation between the Ministerial party and the Opposition. In the famous programme of Stradella, Depretis, an "old parliamentary hand," and at one time prominent among the members of the Liberal party in Piedmont, promised the country a perfect Eldorado of progress if they would send up deputies to support his policy. In 1861, that is to say before Venice was freed from the Austrians, or Rome capital of Italy, in a population of twenty-one millions and a-half there were less than half a million of electors. At the last census, in 1880, the population amounted to twenty-eight and a-half millions, and the electors to 621,000. In 1882, after the extension of the suffrage, the electors amounted to 2,000,000, but of these only 1,223,000 went to the polls. These, however, gave Depretis his desired majority, whereupon he immediately turned his back on the radical Liberals and attempted "to transform the parties," and, on the principle of the eclectics, "pick and choose certain deputies and groups of deputies out of the old Moderate and the Moderate Liberal factions." Now, as the Moderates had ruled the country exclusively between the years 1860 and 1876, and were beaten along all the line in the latter year by the Party of Progress, as they styled themselves, and as, after the death of Rattazzi, Depretis was chosen head of that party, this proceeding was regarded as most unfair and out of order. Naturally, the Moderates, who saw no chance of seizing the reins afresh, were enchanted, but as Signor Bonghi, a pillar of the Moderate party, explains in a very clever article in the *Nuova Antologia* for April, entitled, "The Situation of the Country and the Elections," the man was not adapted to the work, and many of his colleagues in the Ministry were entirely opposed to it; hence we have had a series of what are called partial crises, Ministerial stews—the Premier trying to conciliate now this fraction, now that, and ending by discontenting all of them.

He had promised a thorough social reform throughout the country. Nowhere is such reform so much needed. There is, for instance, a popular demand that the charitable institutions in Italy be reformed; that sixty-five per cent. of the annual income shall not be squandered in administration; that the accounts shall be made public; that the municipal councillors shall be the administrators; that the funds shall be spent for the poor and not for the rich. Depretis, like all his successors, has done nothing in this direction. So with the law on strikes, on preliminary imprisonment, the law that was to render masters responsible for accidents in manufactories, mines, etc. A very mild law to secure this responsibility passed in the House, but was wrecked in the Senate. Hence you have the entire class of workingmen and peasants in arms against the Government. There was likewise to be a reform in the communal and provincial laws. The representative of the Government, the prefect, is the head of the provincial council; all the municipal authorities depend upon him; his approval is necessary for their budgets. For instance, a town council votes a sum for a monument to Victor Emanuel, approved; for Garibaldi, for Mazzini, cancelled, if the prefect happens to be a *codino*. Nothing has been done. The penal code was to be reformed; no reform effected. In short, if we except the abolition of the forced paper circulation and of the grist-tax, counterbalanced by new taxes too numerous to mention, together with the equalization of the land tax, which has disgusted southern Italy and given very slight satisfaction in the north, no single act during the last three years has produced or promised any amelioration in the country.

Then, personally, Depretis has offended everybody, on the one hand by his arrogance, summed up in his favorite expression: *Piace a me e basta* (It is my pleasure, and that is enough); on the other, by his innate and ever-increasing hesitation of character—pledging himself to a line of policy to-day, thinking over it to-morrow, and acting in a precisely contrary direction. Curiously enough, in his famous programme of Stradella, in passing sentence on the Moderate party he dictated his own:

"The Moderate party," he said, "has become impotent to solve any great national questions; hence it discourages and discredits parliamentary institutions. The Ministers themselves see that their aim is not the aim of the nation, that they therefore cannot reach it by a straight path, are obliged to live haphazard, to occupy and tire out the House with petty laws and petty questions, to temporize, to live by makeshifts, by dint of partial changes in the Ministry, of frequent vacations, of interpellations got up by mutual consent, etc., etc. These petty tactics, by means of which the Moderates have dragged along their weary life for many years, will never be those adopted by myself or my colleagues. No, I proclaim it aloud, we mean to live well and die an honored death. Never will we allow the sentence, fatal above all to a ministry, to be applied to us: *propter vitam vivendi perdere causas*, which, freely translated, runs: 'Lower your flag, but save your skin.'"

This is precisely what the country accuses Depretis of doing. If only a year ago he had definitely resigned, declaring, as he now does, that he cannot secure a working majority, his Ministry might have died an honored death and he might have reappeared at the head of another ministry in some future Parliament. At present, his chances seem very slight indeed. In the south of Italy the ministerial phalanx has disappeared like snow-wreaths in thaw; the old constitutional associations, even the Monarchical Union of Naples, siding openly with the Opposition. The Minister of Justice, Tajani, was openly hissed at Lecce and Brindisi. There is a general impression abroad that the Italian finances are in a very bad state, that the pretended equilibrium between income and expenditure is a mere hoax, and that Signor Magliani's successor, when once the accounts are examined, will be very hard to find.

To fill up the measure of ministerial iniquity, the press and the public accuse the Government as the real culprit and author of the massacre of the Italian scientific expedition under Count Porro, which left Zeila on March 27. It is reported that all the members have been treacherously murdered by the Emir of Harrar in the Somali country. Up to the present moment nothing further is known since the receipt of a telegram from the Italian consul at Aden (April 25), which reported that the Emir of Harrar, after ordering that all the Europeans in his capital be put to death, attacked near Gildezza with 200 soldiers Count Porro's expedition and massacred the whole party; that he then proceeded to Gildezza, and captured the town, taking prisoners the Anglo-Egyptian garrison, which consisted of about a hundred men. When the fearful news reached Milan, Stanley, who was being lionized there, exclaimed: "It is only too possible!" The excitement is tremendous, as this fresh massacre follows on that of Giulietti, Bianchi, Diana, Monari.

The common feeling is, that the interests of scientific explorations have been sacrificed by the shilly-shallying foreign policy of the Italian Ministry, who got up their African expedition to call off public attention from the picking and stealing contract of the railway conventions. In December, 1885, the radical newspaper of Milan, the *Secolo*, sounded a note of alarm: "The new Minister for Foreign Affairs, Robilant, is bent upon a new African expedition, and is now trying to induce the Society for Commercial Exploration resident in Milan to pick the chestnuts out of the fire." In fact, an agent of the Government, Commendatore Colacci, came to Milan and confided to the Society that the Government intended to occupy Zeila, and that England was inclined to cede it; hence it was their intention to send out an expedition so as to prepare the way for a second, for the occupation of Harrar! Count Porro, who is about forty years of age, son of the famous Milanese patriot and conspirator of 1821, went to Rome and received from the Government muskets, ammunition, and a sum of money, Count Robilant, however, saying: "I neither do nor do not advise an expedition to Zeila and Harrar, but should Italian interests be furthered by such an expedition, the Government will intervene to protect them." Count Porro returned to Milan full of hope. Himself a military man, he induced several officers to accompany him. It was remarked at the time that he embarked at Naples on the same day, the 26th of January, and in the same steamer, *Domenico Balduino*, as did the fated Bianchi the year before. On arriving at Aden the English Consul

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said to Count Porro: "Do you call this a commercial expedition? You have too many military men, too many arms; you will never pass. What is it you mean to do in Africa?" "To facilitate our commerce and find for it new and shorter paths." "With soldiers, with muskets, and chests of ammunition?" asked the Consul, and, dwelling upon the increasing agitation in Harrar, he advised Porro to return to Massowah. Fifteen days later Porro returned and agreed to confine the expedition to a very few persons, the Consul offering to escort them up to Gildezza, but no further. Porro, with Count Coccastelli, Dr. Gottardi, Prof. Licata, Bianchi, Romagnoli, Zanini, and two servants, started; the rest of the expedition returned to Italy. Italian correspondents at Aden continued to comment upon the extreme risks, and on the hatred, amounting to fanaticism, of the Emir, and Porro himself wrote: "The Emir of Harrar is a greater fanatic than his predecessors. He insists upon all the population of Galla becoming Mohammedans. He has 300 Remington muskets and two mountain pieces (Krupp), which the English left him when they caused the Egyptian garrison to evacuate. When he goes out for a *chase*, he takes about two-thirds of his armed men, chiefly Somali, leaving the remainder to guard the capital." Porro was exceedingly annoyed because the English Consul would reduce the numbers of the expedition, but Mr. Hunter was firm, and to him it is now really owing that the men, if all are massacred, are 9 only, instead of 168.

Every one is, of course, clamoring for the Government "to do something," and the report is that the Government is waiting to know what England will allow Italy to do. Stanley, on being asked what could be done, made answer: "Does your Government mean to send out an armed expedition? This will take a large sum of money and a quantity of soldiers; and, first of all, you must have England's permission, even if you occupy Harrar. England is still mistress of the port, which is Zeila." On being told that, though the expedition had been assisted by the Government, it was not an official expedition, "Then," he replied, "if you don't mean to go to war, register this catastrophe as a page of experience, and learn that Africa is not the country in which to commit imprudences." Most sensible advice assuredly, and, after the conduct of the English Consul, Count Porro must be reckoned among the "imprudent"; but this does not exempt the Italian Government from an immense responsibility. J. W. M.

Correspondence.

EXCOMMUNICATION IN THE METHODIST CHURCH.

To the Editor of The Nation:

Sir: In *Nation*, No. 1084, a question is asked about the published threat of Rev. S. Dimmick, that his members "will have to leave the church if they sign a petition for license," and its relation to Roman Catholic excommunication. If the question should not be sufficiently answered before this letter reaches you, I would like to reply that a marked difference between the cases exists in this, that, in the Roman Catholic Church, excommunication does sometimes occur and is effective, while in the Methodist Episcopal Church, to which Mr. Dimmick professes to belong, the sort of expulsion which he threatens, in a certain contingency, to visit upon the members of his church, is altogether impossible.

If the author of this notion should ever proceed against any of his members to expel them, he would find that they enjoy all the essential rights of trial by jury. The fault in question is classified, in the law of the Methodist Episcopal Church, under "Imprudent and Unchristian Conduct," for which specific procedure is laid down. For the first offence of which notice is taken, the preacher may administer private reproof. On a second offence, he may take one or two discreet members of the church to witness the remonstrance. "On a third offence let him be brought to trial."

So it is not for the pastor to say, before the trial, who "will have to leave the church"; but then, prohibitionists must be indiscreet.

W. C. Sawyer.

Dresden, Saxony, April 23, 1886.

PARTIAL VETOING OF APPROPRIATION BILLS.

To the Editor of The Nation:

Sir: In relation to your editorial article in the last number upon separate vetoes of appropriation bills, the case is even stronger than you state it. There are no less than fifteen States which have incorporated this principle in their Constitutions, viz., New York, New Jersey, Pennsylvania, Minnesota, Nebraska, West Virginia, Missouri, Arkansas, Texas, California, South Carolina, Georgia, Alabama, Florida, and Louisiana. See sec. 310 of my work on 'American Statute Law.'—Faithfully yours,

F. J. Stimson.

31 W. 17th St., May 4, 1886.

THE FRENCH CODE ON BOYCOTTING.

To the Editor of The Nation:

Sir: Perhaps it may be of some interest to your readers (as an addition to your quotation from the French "Code Pénal") to look into the following decisions of the "Cour de Cassation," which give a definitive and binding interpretation of articles 414 and 415 of said Code.

(*a.*) Law, though recognizing the right of coalition, punishes any interference with the free exercise of industry or labor, which manifests itself by threats of interdiction, uttered either against a proscribed workman or employer, or against the workmen who choose to remain in the same workshop.

Is to be considered as an accomplice any person who, in execution of a plan contrived beforehand, watches the doings of the proscribed workman, and gives information in order to insure the success of such measures of interdiction.

There is an implied threat in any written order, given in the name of the association or its members, to leave the workshop where the interdicted workman is employed. (Cass.—April 5, 1867.)

(*b.*) The Central Committee, acting and taking resolutions in the name of the striking workmen, whenever its members refuse to such as wish to withdraw (from the strike) permission to work, is guilty of unlawful interference with the free exercise of labor. (Cass.—Feb. 23, 1886.)

(*c.*) The fact that workmen demand from their employer, by threatening to desert his workshop if he refuses, the dismissal of another workman, is rightly considered as unlawful interference with the free exercise of industry and labor, when it is the outcome of a plan contrived beforehand to deprive of access to the workshop such workmen as refuse to enter the union, and accept labor from firms boycotted by said union (*mises par elle en interdit*). (Cass.—August 28, 1873.)

Please remark that the last decision was pronounced under a Republican administration. I must add, though, that in the present labor troubles at Decazeville the Government's attitude has lately been stamped with lamentable uncertainty, and that its alternative *coups de force* and hesitations have demonstrated, *a contrario*, how much immediate and decisive, but *consistent*, action is desirable in such emergencies. The manacles on Roche's and Duc-Quercy's wrists were, it seems, a useless and therefore dangerous display, but the meek submission to Basly's impudence is suicidal indeed!

Such reflections and examples are perhaps not out of season, at a time when true friends of the United States have to deplore the fact that Hyndman, the noted English Socialist, praises President Cleveland's message as "admirable." Ought not this eulogy, coming from such a quarter, to remind the eminent Chief of the Executive of old Laocoön's cautious motto: "Timeo Danaos et dona ferentes"? A. Du Four.

Charlotte, N. C., May 8, 1886.

THE CONSTITUTION OF THE KNIGHTS.

To the Editor of The Nation:

Sir: A pamphlet of 78 pp., called the 'Constitution of the General Assembly, District Assemblies, and Local Assemblies of the Order of the Knights of Labor of America'—first adopted at Reading, Pa., January 1-4, 1878, revised at various places, and finally at Philadelphia, September 1-10, 1884—throws rather more light on the aims and methods of the organization than has been elicited by the Congressional Investigating Committee from Mr. Powderly and his fellow-witnesses.

The preamble of three pages gives, as the reason for forming the order, "the alarming development and aggressiveness of great capitalists and corporations, which, unless checked, will inevitably lead to the pauperization and hopeless degradation of the toiling masses," and says "it is imperative, if we desire to enjoy the full blessings of life, that a check be placed upon unjust accumulation and the power for evil of aggregated wealth."

The order of Knights of Labor is formed, 1st, "To make industrial and moral worth, not wealth, the true standard of individual and national greatness"; 2d, "To secure to the workers the full enjoyment of the wealth they create, sufficient leisure in which to develop their intellectual, moral, and social faculties; all of the benefits, recreation, and pleasures of association—in a word, to enable them to share the gains and honors of advancing civilization."

In order to secure these results, the Knights "demand of the State" thirteen different things, among which are: "the recognition, by incorporation, of trades-unions, orders, and such other associations as may be organized by the working masses to improve their condition and protect their rights"; "the abolition of the contract system on national, State, and municipal works"; "the enaction of laws providing for arbitration between employers and employed, and to enforce the decision of the arbitrators"; "to prohibit the hiring out of convict labor"; "that a graduated income tax should be levied."

These are followed by five "demands on Congress," which provide for the abolition of all existing banking systems, and "that all money shall be issued in necessary quantity direct to the people" by the Government; "that no interest-bearing bonds, bills of credit, or notes shall ever be issued by the Government, but that in case of need the emergency shall be met by issue of legal-tender, non-interest-bearing money." It is also "demanded" that the Government shall "organize financial exchanges, safe deposits, and facilities for the deposit of the people in small sums"; also, that the "Government shall obtain possession by purchase, under the right of eminent domain, of all telegraphs, telephones, and railroads, and that hereafter no charter or license be issued to any corporation for construction or operation of any means of transporting *intelligence, passengers, or freight*."

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All of these, with some minor "demands," one might think, would constitute changes in the existing order of things radical enough to justify less peremptoriness in dealing with the general and State Governments, but the arrogant tone of the organization has been uniform in its relations to its own members, the vast number of workingmen outside, the employers, and the state.

The remainder of the "Preamble" is as follows:

"And while making the foregoing demands on the State and National Government, we will endeavor to associate our own labors—

"XIX. To establish coöperative institutions such as will tend to supersede the wage system by the introduction of a coöperative industrial system.

"XX. To secure for both sexes equal pay for equal work.

"XXI. To shorten the hours of labor by a general refusal to work for more than eight hours.

"XXII. To persuade employers to agree to arbitrate all differences which may arise between them and their employees, in order that the bonds of sympathy between them may be strengthened, and that strikes may be rendered unnecessary."

The chief mode of "persuasion," except, indeed, that of destroying the property of their employers, and beating, maiming, and killing such of their fellow-workingmen as do not agree with them, is the boycott, and in the cases where employers have been thus "persuaded" it is doubtful if "the bonds of sympathy" have been greatly strengthened. A prisoner in Delaware was asked by a visitor how he came to be confined. He answered, "I was sent here because a man gave me a gold watch." Curiosity led the questioner to ask the reason of such an apparently strange action on the part of the authorities, and he at last worried out of the convict that he was obliged to knock down the owner of the watch and pound him for some time before he would consent to make the present. A process very like this is now being actively carried on by the Knights, in a few recent instances happily terminating like the one above narrated.

The "arbitration of all differences between workingmen and their employers" would be as fatal a blow to the industries of this country as the adoption of any of the vagaries of Mr. Powderly and his friends. It would inevitably lead to a sacrifice of independence of action without which nobody otherwise competent could successfully conduct business operations. No man would be willing to invest his capital in enterprises in which his loss or profit was dependent, not on his own ability, but on the caprice of a board of arbitrators which, even under the most favorable circumstances, could not be expected to be familiar with the details and condition of his affairs. That any such board should have the power to tell a manufacturer that he must pay a certain price for a certain service, irrespective of what he can get it for; or employ ten men on a job which he thinks eight can do; or discharge certain of his workmen because they don't belong to trades-unions aiming at his existence, is a proposition that can only come from men bent on the destruction of accumulated wealth, and be supported by those ignorant of the first principles of business administration, or political demagogues willing to lend themselves to any action which may bring them votes. We might better have such of the amendments to the Constitution of the United States as Mr. Powderly kindly offers to furnish, if they should be adopted.

It will be seen by sec. 21 that there is an agreement among the Knights of Labor to "shorten the hours of labor by a general refusal to work more than eight hours." Mr. Powderly keeps on saying that it is not time yet for any eight-hour movement, and that he disapproves of it. Why, then, does this pledge, to which all of his dupes bind themselves, still remain in the "Constitution"? He is the head of the "General Assembly." "This General Assembly has full and final jurisdiction, and is the highest tribunal of the order of the Knights of Labor. It alone possesses the power and authority to make, amend, or repeal the fundamental and general laws and regulations of the order." "It can also tax the members of the order for its maintenance." If Mr. Powderly has the substance of the power given him by the Constitution of the Knights of Labor, he could have saved the country millions of dollars, and the laboring classes untold misery, by exercising it in accordance with the majority of his utterances. If he has no real authority, and the head of his organization (for it must have one somewhere) is not on his shoulders, he is, instead of a designing and crafty scoundrel, a figurehead to divert suspicion from the hidden machinations of abler villains until their ends are obtained. He is probably the gammon of the concern—working for the same purposes as the others. Should a general uprising take place against the tyranny and outrages of the Knights, and destruction threaten them, then Mr. Powderly will step forward to arrest the blow by referring to his own moderation and conservatism as expressed on every possible recent occasion, forgetting his early utterances, when his prospects were fairer, and he spoke of boycotting as a weapon to be used very gingerly, or his letter to Mr. Gould wherein for once he loses his temper and betrays his real animus, after the manner of an enraged virago. Now, it is safe to say, he abhors boycotts and deprecates strikes. On the other hand, should the spirit of liberty and patriotism be so degraded and deadened as to be unable to cast from us this incubus, and the American people be finally brought to the condition of servitude contemplated by the Knights of Labor, then Mr. Powderly will rise up at the grand division of spoils and claim the lion's share as his reward.

To return to the "Constitution." The duties and powers of the General Assembly and of its officers are very fully set forth in forty-five pages of the pamphlet. Then follows the Constitution for District Assemblies, which are each composed of duly accredited delegates from at least five local Assemblies. The officers of a District Assembly consist of a master workman, worthy foreman, recording secretary, financial secretary, treasurer, and statistician, inside esquire, outside esquire, and venerable sage. The local Assemblies have, in addition to this list, an almoner, insurance solicitor, and an "Unknown Knight." There are many allusions to the "secret work," pass-words, signs, etc., of the organization, and the money contributions are most thoroughly provided for. Travelling cards and the annual travelling pass-word are given to such of the members as desire to travel. To get these they must be in good standing and have all dues paid up. Some of these cards were found on the captured rioting Third Avenue horse-car strikers of late. There are several provisions as to eligibility for membership: "No person who either sells or makes a living or any part of it by the sale of intoxicating drink, either as a manufacturer, dealer, or agent, or through any member of the family, can be admitted to membership in this order"*; and "no lawyer, banker, professional gambler, or stock broker can be admitted." These are the only limitations mentioned, except that "three-quarters in number of any local Assembly must be wage-workers or farmers, and this proportion must be maintained for all time," and nobody under sixteen years of age can be a member. Each local Assembly fixes the charge for initiation, but in no case can it be less than $1 for men and 50 cents for women. More can also be charged for a skilled mechanic than a laborer. Under the head of "Discussions" it is provided that each local Assembly shall devote not less than ten minutes or "more than an hour of each regular session thereof to the discussion of subjects bearing upon the labor question, such as 'Convict labor,' 'Eight hours,' 'Child labor,' 'How can the toiler receive a just share of the wealth he creates?' etc."

* This provision is evaded in the case of brewers, bartenders, etc., by taking their money and giving them cards and the substance of membership without the name.

While there is an element of good in the pamphlet, the purpose of its designers is but thinly veiled, and is to foment and encourage among the laboring classes a feeling of discontent and antipathy toward all who have succeeded better in the race of life than they, which feeling can be utilized, through the power of a compact and manageable oath-bound organization, to destroy existing social institutions and give us a taste of the scenes of the French Revolution. The time is past for business men to affect an esteem for Mr. Powderly or the Knights of Labor. Either they, in anything like their existing form, or else the principles of American liberty, must go to the wall, and it will be, in the end, a mercy to the rank and file of the order to make their abandonment of it a condition of employment. It is no more than a wise precaution on the part of employers to decline the services of men sworn to obey without question any command that may be given them by an order which has shown itself hostile to every organized industry, and whose leaders flourish only in times of business and industrial distress.

D. S.

Brooklyn, May 4, 1886.

THE KENTUCKY RESOLUTIONS OF '98.

To the Editor of The Nation:

Sir: It having been satisfactorily ascertained that the genuine text of the first resolution in the Kentucky "Resolutions of '98" contains the clause, "its co-States forming, as to itself, the other party," which has dropped out in editions of 'Elliot's Debates' published since 1832, the way is now open, as you justly remark, for critical inquiry into the origin and probable motive of that omission, if it was not accidental. The Resolution in its integrity reads as follows:

"Resolved, That the several States composing the United States of America are not united on the principle of unlimited submission to their General Government; but that, by compact under the style and title of a Constitution for the United States and of amendments thereto, they constituted a General Government for special purposes, delegated to that Government certain definite powers, reserving, each State to itself, the residuary mass of right to their own self-government; and that whensoever the General Government assumes undelegated powers, its acts are unauthoritative, void, and of no force: That to this compact each State acceded as a State, and is an integral party, its co-States forming, as to itself, the other party: That the Government created by this compact was not made the exclusive or final judge of the extent of the powers delegated to itself; since that would have made its discretion, and not the Constitution, the measure of its powers; but that as in all other cases of compact among parties having no common judge, each party has an equal right to judge for itself, as well of infractions as of the mode and measure of redress."

As preliminary to this inquiry I beg leave to state that the genuine text was correctly reproduced by Elliot in his first compilation of these Resolutions, as printed in the Appendix to what was originally known as volume 4 of the 'Debates.' This volume was published in 1830—its "Prefatory Note" bears the date of May 26 in

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that year—and therefore was issued immediately in the wake of the great "Nullification Debate" signalized in the Senate of the United States by the memorable speeches of Hayne and Webster, in which the "Resolutions of '98" were passed under review.

A new and powerful impulse was given to nullification polemics two years afterward by the discovery, early in March, 1832, of a series of resolutions, preserved among Mr. Jefferson's papers and drawn up in his handwriting, against the constitutionality of the Alien and Sedition laws. It was seen at once, on a comparison of this Jefferson draft with the text of the Kentucky series, that the former was the textual basis of the latter, with a few very important modifications. Immediately in the wake of this discovery Elliot published, in May, 1832, a sensational pamphlet entitled 'The Virginia and Kentucky Resolutions of 1798 and '99; with Jefferson's original draught thereof. Also, Madison's Report, Calhoun's Address, Resolutions of the Several States in Relation to State Rights, with Other Documents in Support of the Jeffersonian Doctrines of '98.' In this publication the editor exhausts the art of typography in giving, by the prodigal display of italics and capitals, a strong nullification emphasis to his whole collection of documents.

It is interesting to observe that in this political pamphlet "the original draft" of Jefferson is found to contain the clause in question, but the clause has vanished from the text of the Resolutions as they purport to have been passed by the Legislature of Kentucky in 1798. This is the earliest omission of the clause which, after a diligent search, I have been able to find, and from this time forth the corruption appears to have imperceptibly stolen into successive editions of 'Elliot's Debates,' as subsequently "published under the sanction of Congress" with the supervision of the same editor.

It would be premature to speculate on the probable motive of this omission, for some of your readers may refer me to an earlier source of the corruption, and it may have been purely accidental. In view, however, of the fact that a correct copy of the Resolutions was given by Elliot in 1830 and an incorrect one in 1832 and afterward, it would not seem easy to absolve him from the charge of careless proof-reading, unless it can be shown that he reproduced his mutilated copy from an earlier copy having every appearance of genuineness.

The clause was of critical significance under the stress and pinch of the Nullification controversy in 1830–32. With this clause arrayed in the forefront of the Kentucky series, it was not easy, in the name of that declaration, to vindicate the constitutional right of each individual State to nullify, without opposition from its sister States, an act of Congress held by it to be unconstitutional; for if, in ratifying the Constitution, each State had to wait for the coöperation of a sufficient number of "co-States" to give validity to its own adoption of that instrument, and if, "as to itself," the "co-States" so ratifying the Constitution were "the other party" to the "compact," then it followed by parity of reasoning, on the strictest principles of the State-Rights logic, that each State, in declaring an act of Congress null and void, had to wait for the coöperation of a sufficient number of its co-States ("the other party") in order to give validity to the new definition or allocation of Federal powers involved in its nullification manifesto. But this doctrine was fatal to the pretension of the South Carolina Nullifiers in 1830–32.

JAMES C. WELLING.

WASHINGTON, May 8, 1886.

THE ELECTIVE SYSTEM AT THE UNIVERSITY OF MICHIGAN.

TO THE EDITOR OF THE NATION:

SIR: The reports recently presented to the Board of Overseers of Harvard College by a committee charged with the consideration of proposed changes in the requirements for admission to college, of the practical working of the elective system, and of the plan of voluntary attendance now in operation at Harvard, are models in their way, and are valuable contributions to the discussion of the subjects they treat. They are well worth the attention of persons engaged in college management anywhere, whether interested in all the details or not. For us at the University of Michigan they have a peculiar interest, dealing as they do with problems on which our academic faculty has been engaged for several years, and we have been much gratified to see how closely, sometimes even in minute particulars, the conclusions of the Harvard committee are in accord with the practice that our experience has led us to think the best. The organization of the University at Ann Arbor differs in many respects from that at Cambridge, and it would hardly be right to emphasize very strongly any points of resemblance or points of contrast in matters relating solely to details of internal administration; yet, broadly speaking, both institutions have the same end in view, and have adopted in the main similar methods. A short account of what has been accomplished here in certain directions I hope may be acceptable to your readers, especially those that have seen the Harvard reports.

The question whether a knowledge of Greek should be required of all students was settled as long ago as the year 1851 for the University of Michigan by a legislative enactment which directed that "the Regents shall provide . . . for the admission of . . . students without previous examination as to their attainments" in ancient languages; and the problem for the Faculty has been, while requiring Greek for the course leading to the degree of bachelor of arts, to get from the schools an equivalent preparation in science, modern languages, or English branches, for those students who enter the University as candidates for degrees in science, in philosophy, or in letters. The aim has been to make the different degrees conferred, as far as practicable with courses so widely different in character, represent equivalent amounts of work, so that they may be regarded by students and by the community as equally honorable.

For thirty-five years the high schools of Michigan and other feeders of the University have been encouraged to direct the preliminary training of pupils fitting for college in the way that seemed best in each particular case. In some of the larger schools a creditable supply of apparatus for laboratory instruction in science is provided, but this is by no means yet the rule, though a marked advance in this respect has been observable in the past few years. The result in Michigan goes far toward showing that, for the present at least, if any substitute for Greek is to be accepted at Harvard, a very few schools only will be in condition to give training in science at all equivalent to that now secured by the study of Greek. The weight of testimony here is strongly in favor of the plan recommended in Mr. Smith's minority report. It may be added that the youthful Agassiz or Faraday will find himself badly hampered if ignorant of the modern languages, and it will be well for him to acquire a knowledge of them early in life.

The elective system became a prominent feature at the University of Michigan some ten or twelve years ago, though even at an earlier date a considerable range of choice was allowed the upper classes. After a long and careful discussion, the Academic Faculty in the year 1879 made a radical change and adopted a modified or limited elective system, to whose advantages all grades of collegiate students were admitted. Briefly summarized, the principal features of that plan were as follows: (1) the instruction offered to undergraduates was arranged in half-year courses, some being given once a week, some twice, others three, four, or five times; (2) each student was allowed to choose, from all the courses offered in any half-year, such as he could take with profit, the Faculty reserving the right to regulate, when necessary, the number of hours a week any student should be engaged in the class-room; (3) the completion of a specified amount of work, whether the time spent were longer or shorter, entitled a student to his degree provided one important condition was satisfied, viz., that at some time during his term of study he should have pursued and passed examinations on a certain set of prescribed studies, the sets varying in kind and in amount, according to the title of the degree to be conferred. About one-half of the total requirement consisted of prescribed studies, except in the engineering department, where the proportion was about four-fifths. A candidate for the degree of bachelor of arts was obliged to take in the University both Greek and Latin equivalent to a daily exercise in each language for something more than a year and a half; for the degree of bachelor of philosophy a corresponding amount of Latin, French, and German was prescribed; for the degrees in science and in letters the prescribed studies included a relatively larger proportion of physics, chemistry, history, or English; all the sets included mathematics and, except for students in engineering, the elements of psychology.

A trial of a year or two in the administration of this system disclosed two serious defects: the incoming freshmen found it difficult to choose wisely, and the older students were tempted to undertake too much work, for the sake of shortening their college course by six months or a year. Recognizing these defects, the Faculty did not hesitate to retrace its steps. The liberty of choice accorded to freshmen was very much restricted, so that, at the present time, the work of a student in his first year is practically, though not absolutely nor in all cases, confined to a limited portion of the studies prescribed for graduation. The second difficulty was met by setting a limit to the number of hours a week a student could take, a limit which could not be exceeded without special permission. All requests for extra hours are referred to a standing committee of the Faculty. They are granted or denied according to the committee's view of what would be best for the student. A position on this committee is no sinecure. Under this arrangement the normal length of the college course is four years, though not a few in each class complete all requirements in three years and a half, or so nearly complete them that time is gained in the fourth year for advanced work in special topics or for entrance on the study of a profession. Incidentally, too, the lines of demarcation between freshmen, sophomores, juniors, and seniors are to some extent obliterated.

The character of the prescribed work has been modified from time to time, and its amount has been reduced as rapidly as experience has shown a reduction could be made to advantage. Pains are taken to advise students of the proper sequence of studies. The annual calendars and announcements contain recommendations and suggestions as to the proper coördination of studies, which are intended expressly to aid persons who wish to acquire more than ordinary proficiency in some one line of work—philosophy, for exam-

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ple, or chemistry, physics, astronomy, geology, or biology.

In the ways above indicated, the University of Michigan, in its department of literature, science, and the arts (the professional schools, of course, are not here taken into account), has endeavored to secure the acknowledged benefits of a free election, and to guard against its worst dangers. The results so far attained have been highly satisfactory, though the avenues of improvement are not yet closed. In one direction, it is true, an important step in advance has already been taken. I refer to the opportunity that the more ambitious or the more mature students, whose attainments warrant the Faculty in granting them the privilege, have of completing the last year and a half or two years of their college course, on conditions even more favorable to the development of individual taste and talent than the simple elective system in itself contemplates. It would make this letter too long to describe in detail the "university system," as we call it here; it is an interesting outgrowth or extension of the elective system, and one that promises good results in the future, if wisely administered. Neither is there room for any notice of the marking system or of the question of voluntary attendance at recitations. These topics may perhaps be taken up in a future communication.

W. H. PETTEE.

UNIVERSITY OF MICHIGAN, May 1, 1886.

Notes.

THE 'Q. P. Index Annual for 1885' (Boston: Cupples, Upham & Co.) is now ready—forming the fifth in its own series, the nineteenth in the general. Some fifty periodicals are selectively indexed by Mr. Griswold's ingenious system of numbering. The authors are placed in a list by themselves, each with a numerical designation by which ready reference is made from his proper article.

Charles Scribner's Sons will issue in the early autumn the second volume of the 'Cyclopædia of Painters and Paintings,' edited by John Denison Champlin, jr., and Charles C. Perkins. The first volume, now ready, contains 105 outline views of the important pictures of the older masters, 182 portraits, and 212 signatures, besides twelve full-page photogravures (mainly) after works of the modern school. The arrangement of painters and pictures is under a single alphabet. There are to be four volumes in all, quarto, and the limit of copies is 500.

Cassell & Co. publish immediately 'Representative Poems of Living Poets,' the selection involving eighty English and American writers, and nearly three-hundred selections made by the poets themselves. Mr. George P. Lathrop furnishes an introduction.

Thomas Whitaker will issue next week 'The Church Revived,' a full account of parochial mission work in England and America, by the Rev. J. W. Bonham.

William S. Gottsberger publishes this week 'The King's Treasure-house: a Romance of Ancient Egypt,' translated from the German of Wilhelm Walloth by Mary J. Safford.

Henry Holt & Co. have nearly ready 'Whom God Hath Joined,' a *Tendenz* novel, by Mrs. Elizabeth Gilbert Martin, which has appeared serially in the pages of the *Catholic World*; and 'Children of the Earth,' yet another novel, by Miss A. R. Macfarlane.

Prof. Arthur Sherburne Hardy's new novel, 'The Wind of Destiny,' is about to be issued by Houghton, Mifflin & Co. They also announce for their Riverside Paper series 'The Cruise of the *Alabama*,' by P. D. Haywood; 'Not in the Prospectus,' by Park Danforth; 'Burglars in Paradise,' by Miss Phelps; and 'The Man Who Was Guilty,' by Flora Haines Longhead. Further, a new volume of poems by Mrs. S. M. B. Piatt, entitled 'In Primrose Time: a New Irish Garland.' (Can the time of Beaconsfield be thus indicated?)

'The Mystery of Pain,' by James Hinton, M.D., is in the press of Cupples, Upham & Co., Boston.

Ginn & Co. publish during the next two months 'The Practical Elements of Rhetoric,' by Prof. J. F. Genung, of Amherst; and 'The Beginner's Latin Book,' by W. C. Collar and M. G. Daniell.

A series of monographs on education, in preparation by D. C. Heath & Co., Boston, will begin with a 'Bibliography of Pedagogical Literature,' compiled by Prof. G. Stanley Hall.

The second volume of the "Olden Time Series" (Boston: Ticknor & Co.) is 'Days of the Spinning Wheel,' but, like its predecessor, its contents are better covered by the general than by the specific title. Under whichever designation, one may be edified by reading the calm contemporary newspaper report of the Boston Massacre; a sumptuary regulation in that city, in 1788, forbidding (shade of Samuel Sewall!) scarfs, gloves, rings, and liquors at funerals; correspondence relating to a fire charity, collected and brought over by Whitefield in 1764; advertisements showing the activity of the slave market before the Revolution, or telling of cows on Boston Common as late as 1788, or proving the existence of mahogany furniture as early as 1759, to the confusion of certain colonial antiquarians who have held this to be a heresy. Here, also, one may be reminded that as far back as 1762 they were making 40,000 pairs of shoes annually in Lynn, Mass.; that in 1775, in Salem, one could listen to a popular scientific lecture on electricity, "every evening in which the air is dry," at a pistareen a lecture; that there was lively celebration of Guy Fawkes's Day in the last century, and that (*teste* the author) even last year, near Marblehead, a bonfire on that date was a genuine survival; finally, that at New Hackensack, Dutchess County, N. Y., in 1789, mysterious rappings and moving of furniture, etc., attended a young girl in a respectable family, and perplexed investigators.

Harper & Bros. take advantage of the interest in the Irish question to republish Miss Edgeworth's 'The Absentee,' in their Handy Series.

Ginn & Co., Boston, have brought out a new edition of the late Keith Johnston's 'School and College Atlas of Ancient Geography,' much improved in every respect, and enlarged by a summary exhibit of ancient geography from the pen of Prof. W. F. Allen, of the University of Wisconsin, whose name is a guarantee of scholarly accuracy. While the maps as such are not remarkable specimens of cartography, they are distinct and free from overcrowding. There is an index, in which the modern name accompanies the ancient, and throughout the pronunciation is carefully indicated. Altogether, the work seems to us second to no other available for English-speaking students.

Rarely does one meet with more beautiful maps than those which compose the first instalment of the second edition of Dr. Richard Andree's popular 'Allgemeiner Hand-Atlas' (Leipzig: Velhagen & Klasing; New York: Westermann). The execution is in admirable taste as to lettering, tint, etc., and is only objectionable on the score of extreme fineness in the more crowded portions. A magnifier would almost be necessary to save the eyes. Many of the plates are quite novel in their selection and division, and will be a substantial addition to maps which subordinate the districts in question. There are to be twelve *Lieferungen* with 120 map-plates (against 96 in the former edition). The wonder is that they can be furnished for two marks each.

'Common Sense in the Nursery' (Chas. Scribner's Sons) belongs to Marion Harland's series of common-sense books, and its name is well given. Babies are necessary in families, and care corresponding to this teaching is necessary for the babies.

During 1883 more than one-quarter of the deaths occurring in Philadelphia were of children under one year of age. In the census year 1880 nearly one-half of the deaths in the United States were of children under five years of age. This mortality and the suffering connected with it, to say nothing of the suffering, physical and otherwise, incidental to illness not mortal of which children are the subjects, are appalling. A certain amount of disease, but a very small amount according to our present light, is necessary; very much of it should be preventable and prevented. Dr. Arthur V. Meigs, in a study of 'Milk Analysis and Infant Feeding' (Philadelphia: Blakiston & Co.), remarks with great truth: "It is melancholy to think how many children die year after year simply because those who are most anxious for them to live do not know what to give them to eat." Dr. Meigs's little book has the advantage of intelligent theory corrected and confirmed by considerable experience.

One might as well expect to find a new treatise to point out the superiority of steam over horse power for locomotive purposes, as to have written at this late day a book to show the influence of vaccination in preventing smallpox. Yet such is the senseless clamor which very noisy and not very intelligent men are making against this most beneficent agency, that some positively require to be reminded of its value. Dr. W. A. Hardaway's 'Essentials of Vaccination' (St. Louis: J. H. Chambers & Co.) points out how and why this life-saving operation should be done. It is not a cyclopædia, it is an epitome of the correct teachings about vaccination.

American publishers of school-books would do well to look at the dainty little volumes just issued from the Clarendon Press, Oxford, containing 'Les Femmes savantes,' by Molière, and 'Cinna,' by Corneille (New York: Thomas Nelson & Sons). The material execution is excellent though simple, and the books open perfectly and remain open just where they are wanted—a rare merit in these days of wire-stitched school-books. The editor, M. Gustave Masson, has given very little of his own in the introductory notices to the plays. His notes are good, though he freely indulges in quotations in them, not hesitating to give half a page of Greek to illustrate a passage of Corneille. This he leaves untranslated as well as his numerous Latin quotations—an indolent process, which will not tend to make the notes easy reading to learners of French, or to some teachers, perhaps. The short glossary at the end of each play is very carefully made.

M. Henry Attwell speaks very modestly of his little book, 'French-English Pseudo-Synonyms' (London: Hachette; Boston: Schoenhof). He says it is merely a list transferred from a schoolmaster's note-book. It is a very interesting short monograph on words which are often the source of great blunders not merely to learners of French, but to the translators of French books. It seems a very elementary remark to say that *large* in French never means 'large,' that *injurier* is not 'to injure,' *monnaie* is not 'money,' *éditeur* is not 'editor,' or to call attention to the fact that *prétendre* generally means something very different from 'to pretend'; yet, in view of some of the current translations of recent French novels, such information seems not to be general among those who translate. The use of M. Attwell's volume might prevent a number of recurring mistakes, especially if the author makes it more complete in a new edition by inserting other words which are stumbling-blocks

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from their similarity in form to English words which do not translate them—such as *altération*, *emphase*, *contrée*, *grief*. Some of these and others omitted by Mr. Attwell may be found in a very good little collection of exercises called 'The Bridge,' compiled by Mr. Oliver Straightways (London and Paris: Hachette; Boston: Schoenhof).

In *Shakspeariana* for April Prof. J. D. Butler shows curiously, from an examination of Liddell and Scott, to what an extent Shakspere has been used by these editors to illustrate meanings in their Greek lexicon. No fewer than seventeen Greek authors are explained by quotations from as many of Shakspere's dramas; and "did they all betoken undesigned coincidences with any one single Greek, they would," says Prof. Butler, "demonstrate that he wrote Shakspere more conclusively than anything in 'Promus' indicates the Baconian authorship of any Shakspere play."

In *Science* for May 7, Alice C. Fletcher discusses some composite portraits of American Indians which are shown on an accompanying plate. She made the very interesting experiment of causing three full-blooded Dakota or Sioux young women to sit for their photographs, from which, following a certain order, a composite was derived in the usual manner. Then, in the same order, the three sitters were taken directly upon one negative, at short exposures in rapid succession. Theoretically the two composites should have agreed. In fact, they were totally different, one face "ruling" in one, another in the other. The causes of this are not apparent, but it seems probable that the larger the number of subjects, the slighter would be the divergence in the types resulting from the two processes.

Mr. Joseph Thacher Clarke's article on a proto-Ionic capital found by him on the summit of Mount Chigri will hold the attention of the reader who begins it, in vol ii., No. 1, of the *American Journal of Archæology*. This "most primitive memorial of the Greek Ionic style yet brought to light," belonging to a ruin twenty-two centuries old, as is estimated, is convincingly cited as a link in the development of the form from the Assyrian construction in wood, which Mr. Clarke traces with his accustomed thoroughness. Rams' horns, snakes, and all other à-priori surmises as to the original models of the volutes, disappear before the palm. The article is unfinished. Prof. Merriam continues his text, translation, and commentary of the law code of the Cretan Gortyna, in which we observe that the condition of the children did not always follow that of the mother, who might have some free and some slave. Exceptional attention will be given to the clear report on the recent archaic sculptural finds of the Acropolis excavations at Athens, by Mr. Walter Miller, of the American School. As usual, the *Journal's* news department is full and varied, and the number is well supplied with plates and cuts.

We have before us the fourteenth annual reports of the two parallel public-spirited associations in Philadelphia—the Zoölogical Society and the Fairmount Park Art Association. The latter contains heliotype views of the Silenus and Infant Bacchus of Praxiteles, and of the Wrestlers of the Royal Gallery in Florence, both reproduced in bronze. Similar views of animals might not unprofitably have adorned the Zoölogical Society's report, from which we learn that we owe to perfidious Albion and her machinations in the Sudan the deficiency not only in our supply of gum arabic, but also in that of the wild animals which are regularly hunted for menageries in the wilds of Central Africa.

A fairly pictorial look is given to Mr. Carroll D. Wright's seventeenth annual report of the Massachusetts Bureau of Statistics of Labor by the frontispiece, a steel portrait of the late Henry K. Oliver, the first head of the Bureau—this by way of memorial; and by a heliotype portrait of the late Henry Wilson, a photo-etching of Mr. Dana Estes, the publisher, and a process engraving of some actress, cantatrice, or "English beauty"—these in order to illustrate the chapter on "Art in Industry." A gushing and extravagant sketch of the life of General Oliver (a musician, also, and composer of the hymns "Federal Street," "Merton," etc.) almost covers up the modest excellence of the man—a kinsman, we remark, of Dr. Holmes and Wendell Phillips.

Dr. Theodore Baker, who, a few years ago, enriched musical science with an original monograph on the music of North American Indians, has made another valuable addition to musical literature by making an excellent translation of Dr. Oscar Paul's 'Manual of Harmony' into English. Dr. Paul is professor at the Leipzig Conservatory, and well known as author of a musical dictionary and a history of the pianoforte, and as translator of Boethius's 'De Musica.' Some years ago he attempted to overthrow the tradition that the first efforts at harmony by Hucbald and others, some eight centuries ago, were the ugly sequences of fourths, fifths, and octaves printed in histories of music; his contention being that these intervals were not sung simultaneously, but successively. The best evidence, however, is against Dr. Paul's emendation. The fact that he was not afraid to attack so venerable a doctrine, shows him particularly qualified to deal with musical theory, in which there is so much that needs sifting and throwing overboard. Dr. Paul is not an original investigator, like Riemann or Helmholtz, but he is a clear writer and his 'Manual of Harmony' is superior to [illegible]chter's, not only in respect of perspicuity, but in being more abreast of the times, by embodying the researches of Hauptmann, and the recently gained knowledge of the harmonic principles of Bach, on which the best modern music is based.

It would be decidedly unjust that the short Easter season should put a limit to the vogue of the very tasteful designs in color published as Easter cards by Raphael Tuck & Sons, of London, and No. 298 Broadway, in this city. Many of these are conscientious studies of famous pictures, reduced with real skill to the proportions of a miniature. The Ecce Homos of Guido and Dolci, never excelled, are among them, better copied than on the porcelains which rich travellers bring home from Dresden; and there are flower studies, azaleas, jonquils, and "Mary's lilies," which would do credit to reputable flower-painters, and deserve to be signed.

The summer course in Entomology and General Invertebrate Zoölogy at Cornell University is announced to begin June 21, and continue for ten weeks. Application should be made before June 10 to Prof. J. H. Comstock, Ithaca, N. Y.

—Mr. Nathan Haskell Dole, the translator of Tolstoi's 'Anna Karenina,' sends us a letter taking exception to our recent review of his version. We extract the passage which controverts our allegation that "it was made directly from the French, not from the Russian, and the proofs begin in chapter two." Mr. Dole says: "Now it happens—and I can bring affidavits of the fact—that I had not seen the French paraphrase until I was far beyond the second chapter. Indeed, had I seen it, I might gladly have chosen the word *peignoir* instead of *jersey* for *koftotchka*. I claim that I made a perfectly justifiable use of the French version as an assistance in doing the work. . . . That my good faith as to what I said in the preface might have confirmation, I made no pretence upon the title-page of having done the work from the Russian." Mr. Dole cites "an unsolicited letter from a Russian living in New York," congratulating him upon his success.

—The *Century* war papers for May begin with a sketch by General McClellan of the opening of the campaign of South Mountain and Antietam in September, 1862. His death prevented the completion of the paper, but in the merely introductory part which he wrote there are two or three important statements of fact which are not to be found in the official records. One is that General Halleck had assured him, both orally and in writing, that the command of the whole army in front of Washington, including Pope's and Burnside's, as well as the Potomac army, should be confided to him. It will be remembered that General Pope has declared that Halleck had expressed the purpose himself to take the field with the united command when McClellan's army should arrive. Another important statement is, that, after the second battle of Bull Run, both President Lincoln and Halleck reiterated the conviction that Washington was lost, and that it was impossible to save the city. Still another, and in some respects the most surprising, is, that his (McClellan's) assignment to command having limited him to the defences of Washington only, excluding any moving column beyond the works, and this not having been altered, though requested by him, his marching at the head of his army against Lee at South Mountain and the Antietam was, in fact, unauthorized, and, by strongest implication, contrary to his orders. It needs no argument to show how these allegations complicate the already tangled history of that period. The story of the battle of South Mountain by the ex-Confederate General D. H. Hill will perhaps first strike those who have been familiar with his reports made during the war, as being in interesting contrast of tone with those highly colored documents. That D. H. Hill can write of the national armies and their officers as he now does, is among the startling proofs how far from the war we are. His paper is a valuable one, pleasantly written, clear and strong in description. He presents the campaign from the Confederate point of view, and strongly emphasizes the opinion that, with the "lost despatches" of Lee in the national commander's hands, a much more vigorous strategy was possible, and that the Confederate army was ruinously compromised had full advantage been taken of the situation. His details of the engagement are necessarily faulty from his lack of personal knowledge of affairs within the Union lines, but he gives much new information of the movements on the other side. Mr. Goss's "Recollections of a Private" contain a general criticism of the campaign, and the amusing experiences of a "high private" under circumstances of confessed "demoralization." In the "Memoranda," Gen. W. F. Smith presents strong documentary evidence tending to show that General Grant's unfavorable criticisms of him were not founded upon his military character or career, but probably upon personal reasons.

—Mr. David A. Wells usually wears a pair of achromatic glasses, and he has been looking at Mexico through them. From the first two of the series of articles which he is publishing in the *Popular Science Monthly*, under the title, "An Economic Study of Mexico," we are led to expect from him the most illuminating discussion of our trade relations with Mexico that has been made public. Thus far his work is mostly preliminary. He sketches broadly but in firm lines Mexico's physical geography, her race inheritance, political history, social condition, and present government. Mr. Wells ought to be warned, however, that his exceedingly matter-of-fact way of looking at things will make him

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no friends among the Mexicans. We notice that the New Orleans correspondent of the *Monitor Republicano* refers to his articles with great indignation, as being most insulting to Mexico. "What a way to write the history of a great people," exclaims this correspondent, "to say that they live in adobe houses, that the dress of many of them is only cotton sheeting, that few of them wear shoes, that they use no stoves, plough with a crooked stick, and eat corn as the staple of their diet!" It is, indeed, something of a departure from the method of the traditional writer on Mexico, in whom the practical has been subordinated to the picturesque; but, remembering that the object of Mr. Wells is to arrive at the present and prospective value of Mexican commerce, he cannot be so greatly blamed.

—Some of his statements on minor points are not altogether exact. For example, he says of President Diaz that "he is free from the suspicion that has attached, and probably with justice, to so many of the Mexican Presidents, of using his power, through contracts and expenditures, to enrich himself illegitimately." But it cannot be denied that the bold charges of corruption brought against General Diaz by his political opponents, and the fact that he entered the Presidency in 1876 with no property but his sword and retired from it in 1880 in possession of estates in Oaxaca estimated to be worth a million dollars, are enough to create "suspicion." In fact, one of the grounds of comfort which Mexican business men found in his reëlection was that he had already provided for himself in his former Administration, and now might be expected to give some attention to the needs of the country. Mr. Wells speaks guardedly of the "personal popularity" of Maximilian. This is one of the fictions of the Church press and historians. Domenech, in his character as champion of the Intervention, made much of what he asserted to be the spontaneous public welcome accorded the Archduke on his arrival in Mexico. In response to similar assertions by the Church organ, *La Voz de Mexico*, the Government recently caused to be published copies of some most interesting documents in the Treasury archives, showing the truly spontaneous nature of Maximilian's welcome. They were in the shape of warrants drawn on the national Treasury, in 1865, for sums expended in Vera Cruz, Córdoba, Orizaba, Puebla, and Mexico for fireworks, illuminations, triumphal arches, etc., amounting in all to $115,000. Perhaps Napoleon III., an expert in securing popular demonstrations in his own favor, had instructed the unfortunate Prince in this short and easy way of proving himself the people's choice. We can but repeat that we look forward to the remaining parts of Mr. Wells's work with high anticipations. If anything could justify Congress in delaying to carry out the terms of our reciprocity treaty with Mexico, it would be the desire to wait until the opinions of this trained and careful publicist are before them.

—A special interest attaches to the report of the State Geologist of New Jersey for the past year. Prof. Cook discusses the changes in the eastern coast line with the aid of tradition, history, and the earliest maps, and draws the general conclusion that the Atlantic beach now, as a rule, represents a sand deposit of wind and wave on former marsh land, and that the loss of margin is absolute, while the gain is only relative. Sandy Hook is delineated from various surveys made during the last two centuries, and is shown to have increased its area in length and breadth some four times. The lighthouse built in 1764 near the point is now about a mile south. Five-mile Beach, on the east shore of Cape May, is likewise shown to have doubled its size since 1772, with great changes of outline. In this instance a whole sea-side town has been laid out over the ocean of 1772. The report has also a chapter on forestry, from which we learn that a little less than one-half the total area of the State is wooded, and that from the nature of the soil a large part of this must ever remain so. Cultivation, however, will probably claim half the existing pine area, or about a third of the woodland. The wasteful and unscientific treatment of these forests still yields $5,000,000 a year, and this product might be doubled. On the other hand, forest fires, largely caused by locomotive sparks, destroy annually a million, and only the generosity of nature in this State prevents the account from running steadily behind. One railroad has devised a plan of keeping 100 feet on each side of the track free from combustible vegetation—an end which, by the way, in the case of a Southern railroad some forty years ago, was sought to be attained by scythes attached to the axles: until the expedient naturally resulted in the loss of human life. New Jersey now ranks first of the States in railroad mileage, having one mile to every 3.95 square miles. The thirty-fifth State in size, she is the nineteenth in population, and has during the past thirty years increased at a more rapid rate than adjacent States similarly circumstanced, and at about the national rate. She does not lose by emigration. We notice finally in this valuable report a detailed account of the various maps of New Jersey.

—Volume xx of the 'Encyclopædia Britannica,' ninth edition (New York: Charles Scribner's Sons; Boston: Little, Brown & Co., 1886), embraces titles extending from "Prudentius" to "Rostoff." It will apparently prove to be a twenty-fourth, or, including a supplement, a twenty-fifth part of the whole work. In Webster's Dictionary the titles from "Prudent" to "Roster" form one-sixteenth of the volume. In Appleton's 'American Cyclopædia' four hundred pages—that is, less than one-thirty-second part of the whole—are devoted to "Prudentius—Rostock." It will thus be seen that the 'Britannica' has managed to keep up a tolerably even tenor in its articles, undisturbed by the pressure which generally overtakes editors of cyclopædias when approaching the end. Compared with the earliest volumes, condensation and brevity are, of course, almost everywhere perceptible. The largest contribution to the volume, "Rome" (ancient history by H. F. Pelham, mediæval and recent by Prof. Villari, topography and archæology by J. H. Middleton), though embracing 107 pages, is rather small compared with "France" (181 pp.); and such important subjects as "Pyramid," "Quakers," "Rationalism," "Red Sea," "Roman Catholic Church," "Roman Literature," "Pyrenees," "Rhodes," and the Richards would have received a more extensive treatment if the initials of the titles were not P, Q, or R. But comparatively enough room, it appears to us, is given to "Psychology" (49 pp., by J. Ward), "Railway" (32 pp., by four authors), "Reformation," "Religions" (by Prof. Tiele), "Renaissance" (Symonds), "Reproduction" (Geddes and Vines), "Reptiles" (40 pp., by Drs. Günther and Mivart), "Rimini," "Roads and Streets," "Romance" (28 pp.), "Romance Languages" (Prof. Storm), and the book of "Revelation" (Prof. Harnack). Prof. Robertson Smith's "Psalms" we should like to see longer, on account of the excellence of the work. "Romans" is from an equally good pen, that of Prof. Schürer. Much less satisfactory, because pedantically dry and historically uninstructive, are the rabbinical articles "Rab," "Ramban" (without an explanation of the title), "Rashba," "Rashbam," "Rashi," and "Riph," all by one pen, obviously selected to represent a denomination. Biography is well cared for in the notices of Prynne, Pym, Pythagoras, Rabelais, Racine, Raleigh, Raphael, Rembrandt, Ricardo, Robert Bruce, Robespierre, Robusti, Rossetti, Ptolemy the geographer, etc., but we can hardly excuse the omission of all the Egyptian Ptolemies, for "Egypt" may contain all that is needed concerning their reigns, but not the details of their individual lives; the extensive article "France," *e. g.*, does not render notices of the Lewises superfluous. As specimens of slips we may mention "Hesse-Nassau" (p. 2) as referring to the duchy annexed by Prussia in 1866, and not to the Prussian province, embracing Electoral Hesse and the Duchy of Nassau, formed after the annexation; and the spelling of Polish names with *v*, which does not exist in the language, on pages 218 and 298.

JOEL BARLOW.

Life and Letters of Joel Barlow. By Charles Burr Todd. G. P. Putnam's Sons. 1886.

We have in biographical dictionaries and in magazine articles all of Joel Barlow's story that is furnished in this volume—all and more—for Mr. Todd has omitted some interesting particulars which he possibly thought might damage his hero's reputation. The letters to Mrs. Barlow and to Robert Fulton give us here and there a glimpse of exciting times, but there is nothing in them to throw any new light on Barlow's character or career. This is a disappointment. No part of our short history so abounds in amusing social and political details as the period between 1783 and Madison's administration—exactly Barlow's time. McMaster has worked this vein profitably, but there was still a grand opportunity for the right man.

Mr. Todd expresses surprise that an ungrateful country has hitherto taken so little notice of the "poet, philosopher, patriot, and friend of humanity" he celebrates. The reason is not far to seek. Barlow's poetry is of the kind that neither gods nor men can tolerate long. The "Hartford Wits" were the first to manufacture native American verse, and were honored accordingly, especially in their neighborhood. There was not a spark of genius in the group. The poetry they turned out was an imitation of the English poets in fashion at the time: Butler, Pope, Gray, Goldsmith, etc. It looked like the original, but lacked the flavor. It was "wooden nutmeg poetry"—in that respect, "a genuine product of the Connecticut soil." Trumbull was the cleverest of the party. His "McFingal," an adaptation of Hudibras to the politics of America, was quoted by everybody. Barlow's epic, the "Columbiad," an enlargement or a dilution of the "Vision of Columbus," a youthful work, occupied his life. We may safely say that it was unreadable even to his contemporaries. The only genuine verses Barlow published are to be found in "Hasty Pudding." Homesick in Savoy, and cheered by the sight of a dish of *polenta* that reminded him of Connecticut, he wrote them from his heart. When serving as chaplain in the army, Barlow wrote occasional war-songs to encourage the soldiers. "He was one of the *Minnesängers* of the Revolution," Mr. Todd tells us. After the war Barlow was employed by the General Association of Connecticut to correct and enlarge the psalms of Dr. Watts. The new version provoked the following just criticism from a brother rhymester, Oliver Arnold:

> "You're nothing but a sinful cre'tur;
> You've murdered Watts and spoiled the metre."

It was soon laid aside for another by Dr. Dwight.

Mr. Todd makes no allusion to a stirring lyric composed by Barlow, and sung by him at a festive gathering in the worst days of the French

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Revolution—a parody of "God Save the King." One verse ran thus:

"Fame, let thy trumpet sound;
Tell all the world around
How Capet fell.
And when great George's poll
Shall in the basket roll,
Let mercy then control
The Guillotine."

Poor Capet! how changed from "his most gracious Majesty, Louis XVI., King of France and of Navarre," to whom Barlow dedicated the "Vision of Columbus" in 1787: "The great father of the House of Bourbon will be held in the highest veneration till his favorite political system shall be realized among the nations of Europe and extended to all mankind." Thomas Paine, on the other hand, had the courage to risk his own head in the Convention when he tried to save King Louis from death.

If Barlow had passed his life in Hartford, he would have gone to meeting with his old friends, and thought "the name of Democrat synonymous with infamy," as they did. Being in Paris, in 1789, he became, of course, a philosopher, patriot, and friend of humanity, heading deputations, delivering addresses, and writing pamphlets against majesties, earthly and divine—political diatribes that had little of the sound sense and vigorous style of his contemporaries, Paine and Cobbett. As *citoyen français* and member of the Constitution Society, his feelings were warm against the English or Federal party in the United States. When a lull in the French whirlwind gave him leisure, he wrote to his brother-in-law, Senator Baldwin, a violent attack on Washington and Adams. Passages from this letter were used in the prosecution of Matthew Lyon for libel and sedition. Barlow followed this up by two letters addressed "to his fellow-citizens of the United States," full of anti-Federal sentiments. In one of them he advised the confiscation of all debts owing to English merchants by way of retaliating on the English Government—"a cool, temperate, convincing argument," Mr. Todd says of this letter. This particular suggestion in it certainly convinced no honest man of either party.

Colonel Humphries, one of the Hartford wits, when Minister to Portugal, having full faith in Barlow's supposed influence with the French Government, persuaded him to go to Algiers to get some relief from the attacks of the Barbary pirates on our merchantmen. In spite of tribute money and of promises, Barlow accomplished little. This matter was settled later by Eaton, Preble, and Decatur, in the only possible way. At home it was charged against Barlow that in the treaty he made with Tripoli were to be found the words "that the Government of the United States is not in any sense founded on the Christian religion." New England people compared Barlow to the Dutch Agent in Japan, trampling on the cross.

In 1805, after seventeen years of absence, Barlow came home a rich man, built a house in Washington, and was a distinguished ornament of Jefferson's court, and a shining mark for the attacks of the Opposition. Six years later Mr. Madison, who also believed in his influence with France, sent him to Paris to remonstrate with the Emperor against the Berlin and Milan decrees. Barlow urged this matter upon the French Government for a year without success. The Duc de Bassano, Minister for Foreign Affairs, advised him to seek a personal interview with Napoleon at Wilna. Barlow was indiscreet enough to start upon this foolish journey. It was the winter of the retreat from Moscow. Napoleon passed through Wilna without stopping, and Barlow died of cold and exposure near Cracow, on his way back to Paris.

Barlow's principal claim upon our attention is, that he was a successful adventurer in two worlds. His life is full of incident. A chaplain, after six weeks' study of theology, complaining "the Sabbath days came rather too thick" for him, turned himself into a lawyer, unsuccessful because "he was averse to practising the arts of the *shyster* and the pettifogger," and "without making use of these it was almost impossible at that time for a young lawyer to rise in his profession." This seems a cruel reproach from Mr. Todd to the memory of Ellsworth, Lyman Law, David Daggett, and other leading Connecticut lawyers. Then he kept a book-shop, edited a weekly, the *American Mercury*, and became "the progenitor of the modern editorial." Even this distinction did not bring grist to the mill, for in 1788 he was glad to accept the agency in France of the Scioto Land Company, "one of those speculative barks—'rigged with curses dark'—which have from time to time sunk beneath the waves of the political sea, engulfing whole *platoons* of statesmen." This particular speculative bark was, in plain English, a swindling land company. The shares were £50 each. "About twelve hundred barbers, fiddlers, and bakers"—we quote from a contemporary narrative—"were shipped to Alexandria, Virginia, and left there to hunt up their lands. They found woods inhabited by hostile Indians." "Nearly all who did not die of fever and exposure made their way to New Orleans. Those who remained had to buy their lands over again from the Ohio Company." McMaster says that Barlow's part in this business was "infamous." Mr. Todd quotes the passage as unworthy of notice. Nevertheless, the charge seems a grave one. If these lands to which the Scioto Company had no title were not sold on the highly colored misrepresentations of Barlow or of his agent, William Playfair, a Scotchman, why does not Mr. Todd tell us who the guilty parties were, and what became of the money taken from the poor barbers and fiddlers? He might also have explained to us how Barlow, who had not a shilling when he went to France, managed to live there and to prosper—so well, indeed, that he was able to buy the Hôtel de Clermont-Tonnerre as a residence, and to return to America in 1805 with about $150,000—great wealth at that time. Mr. Todd does allude vaguely to business transactions and to speculations in the French funds. Until the Directory there was no great rise in the funds. How did Barlow support himself and his wife in the meantime? He had joined the Girondins when they led the Convention; how did he escape arrest when they were destroyed? Why was he sent with the Abbé Grégoire to revolutionize Savoy? What was the extent of his boasted influence with the Directory? And, finally, why did he, after seventeen years abroad, give up his friends and his hôtel in Paris to build Kalorama in Washington? On these points information would have been interesting.

It is certain that Paine and Barlow were intimate in Paris. When Paine was arrested during the Terror, he stopped at Barlow's house on his way to the Conciergerie and left the second part of the 'Age of Reason' with him for safe keeping. Paine's name is not mentioned in the book before us, and no allusion is made to that notorious adventurer, General Miranda of Caraccas, who was much interested in the Scioto scheme, and was also sent to the Conciergerie and detained there, as Paine was, in daily danger of the guillotine, until the fall of Robespierre.

Mr. Todd thinks that McMaster's remark upon Barlow's connection with the fraudulent land company is only an evidence that the political passions of 1800 have survived to 1885. His own bias in the other direction misleads him; otherwise he could not have written "that the monarchical tendencies of the Federalists made it probable that another revolution would be necessary before the people could secure their rights." This is, indeed, a survival of the campaign rubbish of 1800. Few believed it then; no sane man believes it now.

RECENT NOVELS.

The Bostonians: A Novel. By Henry James. Macmillan & Co.

Indian Summer. By W. D. Howells. Boston: Ticknor & Co.

The Late Mrs. Null. By Frank R. Stockton. Charles Scribner's Sons.

The Aliens. By Henry F. Keenan. D. Appleton & Co.

Donovan—We Two. By Edna Lyall. D. Appleton & Co.

For Mamie's Sake. By Grant Allen. D. Appleton & Co.

The Vicar's People. By G. M. Fenn. Cassell & Co.

Inquirendo Island. By Hudor Genone. G. P. Putnam's Sons.

Mrs. Peixada. By Sidney Luska. Cassell & Co.

The Mill Mystery. By Anna Katharine Green. G. P. Putnam's Sons.

Christie's Choice. By Ellery Sinclair. Thomas R. Knox & Co.

The Wreckers: A Social Study. By Geo. Thos. Dowling. Philadelphia: J. B. Lippincott Co.

The Prelate: A Novel. By Isaac Henderson. Boston: Ticknor & Co.

Our Sensation Novel. Edited by Justin H. McCarthy, M.P. Cassell & Co. Also, Harper's Handy Series.

'THE BOSTONIANS' is a novel which invites elaborate criticism by its own elaboration. It is apparently designed to bring out a number of contrasts—the contrast between the ladies who are filled with the enthusiasm of the woman's-rights movement, and the ladies who are not filled with anything of the kind; between the somewhat antique "chivalrous" young Southern man and the brusque, progressive Northern young woman, with a redundancy of ideas; between Boston and, as logicians would say, all that is not-Boston in the world. These contrasts are pushed far, and bring out remorselessly much that is peculiar to the civilization of the day. Every American reader will find in the book some reflection of his or her mind; and as for the Bostonians, they have already given plain notice to the world that, in their opinion, the volume is libellous—not as being an absolutely false, but as a distorted picture. Everybody has heard the story of the New York wag who approved his tedious friend's determination to lecture in Boston, on the ground that he "always had hated the Bostonians." Something of this feeling is prevalent in many places outside of New England, and while we are not willing to say that Mr. James panders to it, it must be admitted that the reader gets the impression that, were the novelist to permit himself such emotions, he would confess to a dislike of many of the things which, in New York, are thought to be particularly Bostonian. But Mr. James very wisely eschews likes and dislikes. An observer and critic by nature and training, he would spoil his best effects did he permit himself to become identified with the puppets whom he so cleverly exhibits. In 'The Bostonians' he is by no means at his best. The story drags in places, and the conversations betray that want of naturalness into which the author's passion for a sort of dramatic repartee leads him. Nevertheless, the criticism and analysis, and observation are so good that we cannot refrain

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from admiration even when we do not always enjoy it. We cannot help feeling that we are in the hands of one of the first of American novelists. When our descendants hereafter attempt to reconstruct the society of which we form a part, and imagine what sort of a world ours was, it must be in great measure to James and Howells that they will resort for enlightenment. Each in his different way portrays American society in sketches which must ever remain a constituent portion of American literature.

The reason why people who begin 'Indian Summer' will read it through is that which prompted the citizens of Des Vaches, Indiana, to buy the *Democrat-Republican*—they want "to see what Colville said." Like the Merry Monarch, he never said a foolish thing and never did a wise one. At all events, he had exhausted his capacity for doing wisely before he reached his Indian Summer, before he bade Des Vaches good-bye and betook himself to Florence, the scene of his youthful dalliance with love and architecture. Here he delights and frequently mystifies his friends with the good things which he had been accustomed to furnish to the public through the columns of the *Democrat-Republican*. His friends are quite unworthy of his steel. His alert mind and ready tongue are deplorably wasted on the sentimental Imogene Graham. The trim widow Bowen lets his slowest balls slip through her fingers. Even when he persists in speaking of his old love, Mrs. Milbury, as Mrs. Pillsbury, she is not quick enough to remind him that Mr. Spreadbrow, the hero of Gilbert's "Sweethearts," had indulged in just that fine bit of affectation before him. Mr. Waters, the New England clergyman in exile, is his only entertaining associate. He is an excellent specimen of that intellectual abstraction in the shape of a man which is born and bred in Puritan New England only. But any one familiar with the personality of the female "dyspeptics and consumptives" who were part of his congregation at Haddam East Village, must wonder how and where he made his deep soundings in the nature of the feminine world at large. Though, when he talks about a woman being "old enough to be truly young," he is a trifle obscure, his remarks are generally too astute for his legitimate opportunities. They suggest that the *veglione* at the Pergola theatre was not the first mundane recreation indulged in by the ancient sage with a purpose more carnal than that of forming a rational theory of Savonarola's life and work. One cannot help regretting that his "comfort in having got out of Haddam East Village was perennial." That hardness is, however, less like Mr. Waters than Mr. Howells, who never can permit his readers the luxury of a thoroughly warm feeling for any one. Mr. Howells always chooses to avoid drama and deep feeling; he has a right to select, but the novelist who persistently ignores both or mocks at both, is as false to life in a broad way as the novelist who is always in hysterics. In 'Indian Summer' he has expended his skill on trifles exclusively, yet no one but Mr. Howells of the "Editor's Study" will be hard on him for having written about four hundred pages without any earnest meaning or purpose. Less severe mortals are apt to be grateful for so much admirable fooling.

No novel of this or any season has been more loudly heralded than 'The Late Mrs. Null'; none, after its appearance, has ever had more extravagant and indiscriminate praise. The author is doubtless puzzled to discover wherein he "resembles Rabelais," and why on earth, had he been a contemporary of Swift, the bitter, witty, scurrilous Dean should have "feared" him. Hardly less surprising is the repeated assertion that he is the inventor of an inscrutable kind of humor which flashes and permeates, and altogether discredits Solomon's cynicism about nothing new under the sun. Mr. Stockton's originality consists in arranging a literary puzzle, elaborating it through a series of whimsical situations, finally solving it or not at his pleasure. In short sketches the trick has been preëminently successful, but, applied to a novel, it falls very far short of success. The human mind is so constituted that it wearies of a long sequence of similar ideas and situations; it is most rapidly surfeited with the whimsical and grotesque. Every telling situation in 'The Late Mrs. Null' is either whimsical or grotesque; so is almost every character. The secret of the beginning is soon an open one; then absurdities, very like in kind, follow each other to a farcical conclusion. The improbability, too, of the complication, without which the novel could not have been written, is glaring. Miss Roberta March is represented as a young woman of considerable worldly experience and fashion, though the turn of her sentences does not lend illusion to the representation. Her engagement to Mr. Junius Keswick has been broken off simply because of the unreasonable opposition of one of his relations. This relation, at times a most amusing old person, lives about fifteen miles from the Virginia homestead which, during a portion of each year, shelters Miss March. This relation roams the countryside in a purple sun-shade, brandishing a purple umbrella. She is necessarily an object of interest and talk, and yet Miss March has neither the sense, judgment, nor curiosity which would impel her to get a sight of Mrs. Keswick and thus to decide at first, as she does at last, that the lady is half mad and not worth any sort of consideration. Decidedly the author is weak in constructive power, and no stronger in that of maintaining suspense. His style has not the grace and lightness which make continued trifling or absurdity excusable. Indeed, in description and what may be called "polite conversation" it is conspicuously heavy. The negro characterizations alone save the book from literary failure. They are all good. The description of Aunt Patsy's preparation for a visit of admonition to the "ole Miss," and of her drive in the ox-cart with Uncle Isham, is perfect, and no one would miss a line concerning the wooden Peggy with her gaze fixed on futurity. If the author had only given us the interview in the Post-office, told us what Patsy said to the "ole Miss," and what the "old Miss" said to Patsy, he would have spared most readers a keen disappointment.

The scene of the 'Aliens' is laid in Warchester, on the Erie Canal, early in the present century. The romance is apparently inspired by the author's conviction that the Irish in America labor under a social disability, and suffer what he calls the "curse of social servitude," not because of personal incapacity or viciousness, but on account of their nationality and their condition as aliens. This conviction is probably very firmly planted in the breasts of disorderly and obnoxious Irish-American citizens. The facts of every-day life disprove it, and the facts of Mr. Keenan's narrative do not sustain it. The mother of the Boyne family was not driven to madness and death by hostile Warchester feeling, but by the abuse and desertion of her husband. It is lame to plead that if the Mayor of Warchester had been more persistent in efforts to reward Hugh Boyne for a service, he would not have turned out a drunken brute. The Boyne children were extremely well cared for by Americans, who, instead of obstructing the path of the orphan aliens, gave them every chance to rise above the humble condition in which they had been born. What of failure as what of success they made was due, even as in mortals not Irish or alien, largely to their personal equipment for the struggle of life. Race prejudice had nothing to do with the pretty Norah's disgrace; it was simply the common end of the old tale of the lass who loves unwisely.

In literary form the 'Aliens' is an improvement on 'Trajan.' The plot is much simpler and more coherent, there is less irrelevant lecturing, less exaggeration. But the author's diffuseness and pomposity are still appalling. He has not got rid of the notion that much sound is an equivalent for sense, otherwise he could not have written, "When a day's ride southward from the city of Penn brought the heir of all the ages into a land of legalized helotry, sordid and soulless as the feudalism of Rome." Moreover, he would have known that not all the fine writing that ever was can stamp with reality such people as his Warchesters, with their date of existence and geographical location fully understood. Certainly he must have realized that no polysyllabic *tour de force* could make the arrival of a tow boat at a wooden pier quite so impressive from a romantic point of view as, let us say, the beaching of the *Argo* on Colchis' strand.

The author of 'Donovan' and what may be called its sequel, 'We Two,' is a pretty fair preacher, but a better novelist. She carries a good story and a religious controversy side by side through two thick volumes with indisputable success. She keeps both well in hand, guiding her people skilfully through strange vicissitudes, and in argument always putting the right thing in the right mouth. The arguments are far from original, so far that they seem to us profitless iteration, but they are also so fair that it is at times possible to forget that the author is the soul of orthodoxy. She means to call in wanderers from the Christian fold, but she neither asserts dogmatically, nor threatens, nor scolds. She provides people of implicit faith, people of little faith, people of no faith, and treats all with impartiality. She displays serious thought, some humor, a good deal of knowledge of life's by-ways, a joy in the good with or without creed, and a wide charity for sinners. The prominence of her serious motive presupposes some prolixity and dulness, but it is easy to get the whole of the story and the gist of the arguments without weariness.

In Mr. Allen's extraordinary production, 'For Mamie's Sake,' the effect of an "Atheist" father's example upon a young girl is a startling contrast to that wrought upon Erica, in 'We Too,' by the moral but wholly irreligious teaching of her father, Luke Raeburn. The drawing of Erica is sincere, pure, intellectual; the drawing of Mamie is the lowest form of mental expression. If the author means anything, he means to ridicule the conception of original innocence, or even decency, in woman; he means to declare that a woman without orthodox religious belief or conventional training is a mere beast that perishes, having in addition human propensity to evil and human power to do ill. But the evidence of the novel is that he only wished to raise a laugh. He has succeeded admirably in exciting disgust and contempt.

'The Vicar's People' come together in a Cornish village, and are well worth reading about. The burden of the tale is borne by a young mining engineer, Trethick, who is delving for his fortune in the worked-out tin mines. The way is made particularly hard for him by Tregenna, a very dark and astute lawyer, who, in advancing his own business and pleasure, manages to do incredible harm to everybody else. Tregenna is too thoroughly a villain for life or art, and Trethick's virtues did not need so violent a contrast for their illumination. Mr. Fenn makes a specialty of parsons, and the academic, not to say priggish, vicar is one of his best. By his strong, unostentatious support of Trethick in the hour of need, he shows that genuine Christianity needed

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to redeem men of his office from the irreverent contempt which a narrow and over-refined personality always excites among a vigorous, healthy, and coarse people. Throughout the book there are fresh and vivacious descriptions of scenery, of the fisher folk and miners—altogether enough good things to compensate for the hackneyed complications of the plot.

'Inquirendo Island' is a satire on the forms and ceremonials of the Christian religion, and on its votaries who, eager to force acceptance of individual interpretation of the letter, distort and defy the spirit. The author has appended two letters, called a "Postface," in which he kindly defines his meaning and moral. This is clearly a case where he who fears falling had best not climb at all. It is better never to write a satire than, having written it, to present it with a semi-apologetic explanation. Besides not being complimentary to the author's own literary skill, or to the reader's intelligence, the Postface is obviously superfluous. Excepting to the bigoted or scrupulously reverential, there can be no doubt about the scope of the satire in the tale of the castaway who came unto a land where the arithmetic was the Bible, and where mathematical symbols and terms were substituted for the ceremonies and stereotyped expression of the various Christian creeds. The idea is original, and, by its extremely ingenious working out, forces a realization of the triviality and absurdity of doctrinal disputes and creed slavery. It suffers from over-elaboration. Brevity is as much the soul of telling satire as of wit. When one-half of 'Inquirendo Island' was written, the author should have had some one at his elbow to cry, "Hold, enough!"

Mr. Harland—or Sidney Luska, as he would seem to prefer being called in connection with his novels—still finds his materials among the Jews of New York. It undoubtedly looks as if he had struck a pocket of some depth and richness, too; yet his work is of a character that is not altogether dependent upon the quality of his materials. Like his first novel, 'Mrs. Peixada' is before all a story—one with a distinct beginning, an interest, and an end of its own, and which makes of naturalism merely a vehicle for its progress. It is a very good story, as stories go; thoroughly thought out, well put together, and not painfully melodramatic even in its most striking situations. One cannot overlook the fact that a story made up of telling incidents, strange coincidences, crimes, and casualties, is of but little value; yet much may be forgiven a writer who can throw such an atmosphere of reality over the uncommon happenings he tells about, and whose characters are so distinct and interesting in their personality. Arthur Ripley and his chum, Julian Hetzel, are very pleasant acquaintances. Mrs. Berle, their landlady—whose husband is a commercial traveller and seldom at home—with her host of relatives at their informal gatherings, makes a unique setting for Mrs. Lehmyl. The inevitable cakes and wine that are passed in Mrs. Berle's parlor, the breezy mingling of English and German in the conversation, the music and talk and cigars, are all touches that count. The peerless Mrs. Lehmyl, however, is the one for whom all the rest is spread out as a background. The view of the river from Beekman Place is for her approval; all the music and discussion of Wagner is apropos of her magnificent voice, and leads up to her singing *Lehn' deine Wang*. The chief objection to characters like Mrs. Lehmyl—in whom, long before she becomes Mrs. Arthur Ripley, the habitual novel-reader easily recognizes Mrs. Peixada—is that, as a set-off to some evil-appearing fact of their lives, they must be endowed with so many and such high excellences. They are apt to seem extravagantly painted. It is an inevitable drawback, however, to any novel which has its tragedy at the wrong end, that there must always be a shadow over the lives of some of the actors. We hope that Sidney Luska will use his undoubted faculty for story-telling in a way that will bring his readers closer to humanity, and lead both him and them entirely away from melodrama and sensationalism.

'The Mill Mystery' is a sensational novel with none of the excellences that save Sidney Luska's novel from being worthless. It is as vicious in plot and style as 'The Leavenworth Case,' and less ingenious. It is nonsensically unreal, and, to the class of readers who will like it, mentally demoralizing. One despairs of a public that keeps up so steady a demand for such books.

'Christie's Choice' is hardly up to the average. The characterization is dim and uncertain, and the attempt to awaken a strong interest by recounting the misfortunes which the war brought to the Roystons—an old Virginian family—is very lame. The liberal spirit toward the North is pleasant to notice, but it seems more the spirit of the writer to-day than of the people and time about which he writes.

Mr. Dowling names his novel 'The Wreckers,' and calls it a social study, while in a modest foreword he acknowledges, in Carlyle's words, "It may be poor enough stuff, but it was the best there was in me." He ought, nevertheless, to remember another saying that Carlyle was fond of—one which he got from the great Frederick.

In 'The Prelate' we are once more treated to a glimpse of the life of Americans in Rome, but one is far from being satisfied with the motive of the story or with the execution. The list of American heroines who have innocently violated the strict etiquette of the effete monarchies—to the consternation of their friends, and to the amusement of the American reader safe in the freedom and confidence of his own shores—was already quite long. It is made altogether too long by the addition of Helen Rathborne, whose *faux pas* was taken with open eyes, and who made a very serious matter of the consequences. Her love affair with Altieri—to warn whom of some unexplained peril from the Vatican she challenged the tongue of slander—seems strained and unnatural. The catastrophe is one of those gratuitous tragedies the very unexpectedness of which proves their lack of artistic truth. The book is further weighted down too heavily with the discussion of theology and the Old Catholic movement.

Of course 'Our Sensation Novel' cannot be taken seriously, even though Mr. Justin H. McCarthy regrets that he is not the writer of it. At least he is godfather to the book, and may some day tell how he came by the manuscript. After all, it is only tolerably clever and half-way amusing. The chapters which parody Thackeray remind one of a base-ball player's first game at tennis, while Victor Hugo is as clumsily handled.

HODGKIN'S INVADERS OF ITALY.

Italy and her Invaders. By Thomas Hodgkin, Fellow of University College, London, Hon. D.C.L. of Durham University. Vol. III. The Ostrogothic Invasion. Vol. IV. The Imperial Restoration. Oxford: The Clarendon Press; New York: Macmillan.

EVERY student of that most important and difficult period which intervenes between ancient and modern history will be rejoiced to have a fresh instalment of Mr. Hodgkin's work. The most important fact of this transition period—next, at least, to the Christianization of the world, which was accomplished at this very time—is the slow incorporation of the German nationality into the classical world; and there is perhaps no event in all history which is harder to make real and intelligible to the modern age than just this. This difficulty finds expression, indeed, in the uncertainty and variety of the terms used to describe it. Whether we call them "barbarians" or "German tribes"; whether we call the act of their settlement in the countries of the Empire a "migration," an "invasion," or a "conquest;" our choice of terms depends principally upon the point of view from which we look at the events, and the conception we form of the changes wrought by them. A book, therefore, which, like the one before us, aims—without much theorizing or defining—to tell just what took place and how it took place, is most welcome and helpful. Mr. Hodgkin does not lack the capacity or the taste for general views; but he knows very well that these need to be built upon a thorough knowledge of concrete facts, and that no period of history has suffered more from hasty and one-sided generalizations than the one which he is treating. As an Englishman, he is free from the national bias which is so apt to warp the judgment of French and German historians; and his general remarks, when he presents any, are always weighty, well considered, and forcible.

These new volumes have in themselves much greater unity than the two earlier ones, and are decidedly superior as historical compositions. The first two volumes contained, besides introductory matter, four independent series of events: the history of the Visigoths, the Vandals, and the Huns, and the revolution of Odoacer. Independent, that is, so far as contemporary historical events can be independent of one another, and each of them (except the last) relating quite as much to other countries as to Italy. This feature, indeed, destroying the unity and continuity of the work, increased its value to the student, for it is, to all intents and purposes, a complete history of the barbarian migrations during the period which it covers. The two new volumes, on the other hand—half as large again as their predecessors—are devoted to the history of a single well-defined series of events, the establishment and overthrow of the Ostrogothic empire. The downfall of the Vandal dominion is related incidentally, and we learn a good deal of the contemporary history of the Franks, Burgundians, Alemannians, and even the Visigoths, so far as these events are directly connected with the history of Italy; but these nations are neglected except where their history bears directly upon the subject of the book.

The greater unity of the subject has made possible greater freedom and effectiveness of treatment. No doubt the subject is itself more noble and picturesque, being the history of three such heroic characters as Theodoric, Belisarius, and Totila. The greater fulness of materials, too, than in the earlier period, is a great help to the historian, and we must not leave out of consideration the increased facility of pen that comes with practice. From all these causes we have a work of great literary merit, placing Mr. Hodgkin high in our list of contemporary historians. We will mention as especially good the account of the defence of Rome by Belisarius, and the whole story of the career of Totila.

The question how to define the movements of the German tribes and their relation to the imperial Government must receive a different answer in different cases. In some cases it was a conquering invasion, in some a simple migration; and the difficulties and controversies of the subject are partly caused, at least, by the different points of view of different writers. Nor, in any one case, is it expedient to be over-logical: the relations of the same tribe varied, and even when relations were unchanged, legal rights and obligations were not always observed. The Ostrogoths, for example, as Mr. Hodgkin is careful to point out, were *fœderati*—that is, allies of the Roman Empire; and it was distinctly in this ca-

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pacity, as allies of the Emperor and at his instigation, that they invaded Italy and overthrew Odoacer. And there had been no formal change in the relation, or in the duties growing out of it, when the successor of this Emperor sent his armies against the successor of the Ostrogothic invader, and put an end to the rule of the Ostrogoths, as these had put an end to that of Odoacer (see the discussion, vol. iii, p. 435). Thus, the Ostrogoths conquered Italy, to be sure, but conquered it not from the Empire, but from an alleged usurper. And they themselves, from being subjects, and, so to speak, agents of the Empire, coming to assert for themselves a virtual independence, were in their turn regarded as exercising a usurped power, like their predecessors, and treated as enemies. All the phases in these shifting relations are clearly brought out in the book before us.

We see, too, by concrete examples, exactly what was the relation of *fœderati* sustained by so many of these Germanic nations—a puzzling, anomalous relation at first sight, because they were not independent nations, allied to Rome, as the name would indicate, but were on the soil of the Empire itself, residing in territories assigned to them, or wandering at large over the provinces. The anomaly is partly explained by the fact that the treaty relations were in many cases formed while the tribes were still outside the boundaries of the Empire, and were continued after they had crossed into its territories. But the true explanation is to be found in the tribal organization in which these nations still were; and we in the United States can form to ourselves a clearer notion of the relation from the fact that it is essentially that which has existed between our Government and the Indian tribes. In matters of detail there is a great difference. It is now generally agreed that the elaborate parallelism drawn by M. Guizot between the North American Indians and the Germans of the migration is superficial and deceptive. The Germans were certainly at a higher degree of political development than even the Iroquois, the furthest advanced of the Indians; and, without undervaluing the natural capacity and teachableness of the Indians, it is hard to conceive of Red Jacket and his Senecas as occupying the place of Theodoric and his Ostrogoths. Again, the *fœderati* were intruders, not natives of the soil. But this fact only makes the analogy more striking; it shows that the treaty relation had its origin, in both cases, not in the fact that they were a foreign people, but in the fact that their tribal organization kept them a foreign people, even on the soil of the Empire.

Another interesting point of analogy is in the relation to the land. The *fœdus* which assigned Macedonia to the Ostrogoths (vol. iii, p. 29), established a condition of things not unlike that which fixes the Sioux or Nez-Percés upon a reservation. The title to the land is not the same. The very name *reservation* shows that they, the original owners, kept this part of their land while giving up the rest; while the lands of the Ostrogoths were a *grant*. But the Ostrogoths upon their grant were very much like the Nez-Percés on their reservation. There is, of course, one fundamental point of contrast: the *fœderati* were soldiers of the Empire—that was the very object of the treaty relations; while a very natural policy forbids the employment in our army of those auxiliaries who disgraced the army of Burgoyne. But we can at least conceive of Indian contingents in our army—we believe they have been used to a moderate extent; and we have heard that it was seriously proposed to give a commission to Chief Joseph. Chief Joseph as major-general in our army and Governor of Idaho, would have afforded a pretty exact parallel to Theodoric as *consul ordinarius* and *magister militum*.

We have already referred to one or two points of special excellence in these volumes, and many others might be mentioned. The sketch of the aqueducts is very complete and interesting, and the passage which describes the historical results of their destruction by Witigis is very suggestive. From this time, the author says, the Roman people will be found much changed—"in some respects better people than their ancestors, more devout, less arrogant, perhaps less licentious, but they will not be so well washed a people." A very graphic passage is the description (vol. iv, p. 568) of the desolation of Rome after its capture and abandonment by Totila: "Rome itself, though not ruined, was left without a single inhabitant." The reflections that follow are excellent; and when (p. 614) we are told that Diogenes, the defender of Rome in its third siege, "had some great breadths of land within the walls sown with corn," converting the city into "a little, well-ordered, and prosperous farm," we seem to get near to an explanation of that most puzzling phenomenon, the covering even of the hilltops of Rome many feet deep with earth and rubbish.

We must not pass over without mention the chapters and paragraphs which treat of ecclesiastical history, which are admirably fair and lucid; but, indeed, every page of the work shows the fruits of conscientious industry and literary skill.

Signs and Seasons. By John Burroughs. Boston: Houghton, Mifflin & Co. 1886.

A BOOK by John Burroughs is itself a sign of the season, a kind of warning that it is time to leave our books and see the flowers and the birds come; but it is well to spend a morning over his pages first, and educate our eyes a little. For some reason this new volume has been somewhat disappointing to us. There is the same exactness of observation, the same sense of a greater intimacy with wild life than is open through any other introduction, the same comradery of our guide with nature. We note his giving up faith in the birds' and "beasties'" foreknowledge of hard or open winters, and in general an impression that the life of wild creatures is less securely guarded by instinct than we have come to believe—is tentative, dangerous, and attended by much bad fortune. We follow him to the Maine woods and the seashore, or stay by his home on the Hudson, with equal pleasure, and glance into those parts of his note-book and correspondence which he opens for our profit; and yet, at the end, it does not seem that we had been much out-of-doors. Can it be that the naturalist himself has become somewhat sophisticated? A suspicion of this sort would glide into our minds, and disturbed our enjoyment.

The book has a literariness which is very pronounced, and which interferes sadly with the simplicity of the common sounds and sights of nature which it reports. Mr. Burroughs was not a born writer, and the vice inherent in any adopted style (especially after such a model as Emerson) has grown upon him. He not infrequently aims at a literary effect, usually in the region of landscape sentiment, as one may call it, and, as he is not a poet, the results are displeasing. This is the case in a greater degree because his style—Emerson's style—is selective, and requires unerring justness of taste. The wrong word, the wrong antithesis, become the more awkward, and it is harder to pass over them. What could be more distinctively "literary" than this characterization of Whitman?

"Whitman is essentially of the shore: his bearded, aboriginal quality, something in his words that smite and chafe, a tonic like salt-air, not sweet, but dilating; his irregular flowing, repeating, elliptical lines; his sense of space and constant reference to the earth and the orbs as standards and symbols. His poems are rarely architectural or sculpturesque, either to the eye or mind: no carving and shaping merely for art's sake; but floating, drifting, surging masses of concrete events and images more or less nebular, protoplastic, and preliminary, but always potent and alive, and full of the salt of the earth, holding in solution as no other poet does his times and country."

"Words, words, words," surely, if anything ever was! And on this follows an exclamatory paragraph upon the sea, full of antithesis and rhetorical ambition—"the great canceller, leveller, distributer, neutralizer, and sponge of oblivion," etc. And yet in this passage, which is not conspicuously bad except in its affectation, the ocean is called "the cesspool of the continents," and the waves are spoken of as "creeping up the sands as with the rustle of an infant's drapery"! To all such language we would our author, who charms us with the simplicity of nature, might bid a long farewell; it is not for him to wear the finery of speech.

The Kilima-Njaro Expedition: A record of scientific exploration in Eastern Equatorial Africa, and a general description of the natural history, languages, and commerce of the Kilima-njaro district. By H. H. Johnston. With six maps and over eighty illustrations by the author. London: Kegan Paul, Trench & Co. 1886. Pp. xv, 572, 8vo.

THE terrestrial paradise in Eastern Africa, described in such glowing colors in Thomson's 'Through Masai Land,' loses none of its charms in the present volume. In some respects the later of the two accounts is the more attractive, while it is a record of a much longer stay among the scenes pictured. The object of Mr. Johnston's expedition, sent out under the joint auspices of the Royal Society and the British Association, was simply to investigate the fauna and flora of the mountain district of Kilima-Njaro, in the hope that it might prove to be "a refuge and last abiding-place for low types or peculiar forms," possibly even of man. With this end in view, he made a settlement on the side of the mountain at an elevation of about 5,000 feet, where he lived for nearly six months. During this time, notwithstanding he had no assistant trained to prepare specimens, and was often thwarted by the natives for weeks together, he succeeded in making large collections of plants and animals, many of which were new to science. In addition to this, he collected vocabularies of four different languages spoken by the inhabitants of the district, and made grammatical studies of two. These latter investigations will doubtless throw much light upon the question as to the original language of the negroes inhabiting Africa south of the equator.

More interesting, however, to the general reader than these linguistic discussions, which, with the chapters on the scientific results of the expedition, are put at the end of the volume, will be the lively and entertaining descriptions of the country, the people, and the author's adventures among them. He appears to have shown great tact and patience, as well as resolution, in his dealings with the natives, whose chief characteristic seems to be an insatiable greed. Notwithstanding that the inhabitable country is portioned out among numerous independent tribes who are always at war with one another, and that he was several times attacked, he was able to avoid the use of firearms in self-defence except in a single instance. Once he warded off an assault by the threatening appearance of a theodolite mounted on its tripod stand. At another time an opportune display of fireworks, in which the

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"flaming shower and shrieking rush" of a rocket played an important part, put to flight an overwhelming force of hostile natives. The fame of this exploit rapidly spread, and he was naturally regarded as a powerful magician by the whole people of the country. Several attempts to reach the summit of the mountain failed, partly on account of the unfavorable weather, but chiefly through the superstitious fears of the natives, who could not be prevailed upon to accompany him. He was able, however, to reach the snow at an elevation of 16,315 ft., or within nearly 2,000 ft. of the summit.

In the closing chapter Mr. Johnston discusses the "commercial prospects" of this region. There can be no doubt that it offers unusual advantages to the trader or the settler. It is only a fortnight's journey from the coast, and, though but three degrees south of the equator, has in the higher portions a temperate climate. The middle mountain region on the southern slope is easily irrigated and astonishingly fertile. Besides tropical productions, all kinds of European vegetables were grown in the garden of Mr. Johnston's settlement. It is free from the pests which make a residence in other parts of Africa almost unendurable; mosquitoes, for instance, being "entirely absent from most parts of the country." The plains at the foot of the mountain are roamed over by vast herds of game, which will no doubt in time give place to equally vast herds of cattle. The natives are friendly, and ready to welcome traders who deal honestly with them. They are beginning to feel the first desires after the benefits which civilization can confer. It is indeed almost with a shock of incredulity that we read that the now well-known chief Mandara, still to all appearance a mere naked savage, wanted Mr. Johnston "to open a banking account for him at Zanzibar, and he had a distinct though crude idea of drawing cheques." This chief appears to be the only one, according to late German accounts, who has as yet successfully resisted the agents of the East-African Society, which has—on paper at least—recently annexed this whole region. There were rumors of this at the time of Mr. Johnston's visit in 1884, and Mandara was especially uneasy. "His suspicions and fears" of the French and Germans, says the former, "were positively ridiculous, considering that they both ignored his existence, and had never at any time evinced the slightest wish to annex Kilima-Njaro." The savage was better informed than the Englishman, for, not eight months after Johnston left, the annexation was announced, in which an obscure reference to Mandara leads one to conclude that a treaty had not yet been obtained from him. It only remains to say of this very entertaining book that the author's style is simple and well adapted to his subject, his account of a day's occupation, for instance, being a charming piece of descriptive writing. It may be well to mention that Professor Bonney is President of the Geological Society, not of the Geographical Society, as by a mere slip of the pen at page 328 he is termed. Some excellent illustrations and maps add much to the value of this work.

BOOKS OF THE WEEK.

Allen, J. Life of Nelson. George Routledge & Sons. 10 cents.
Armstrong, G. D. The Two Books of Nature and Revelation Collated. Funk & Wagnalls. $1.
Bacon, L. W. The Simplicity that is in Christ: Sermons. Funk & Wagnalls. $1.50.
Bartlett, E. T., and Peters, J. P. Scriptures, Hebrew and Christian; Arranged and Edited for Young Readers, as an Introduction to the Study of the Bible. Vol. I. From Creation to the Exile. G. P. Putnam's Sons. $1.50.
Bax, E. B. A Handbook of the History of Philosophy for the Use of Students. Bohn's Philosophical Library. Scribner & Welford.
Chancellor, E. B. The Life of Charles I., 1600—1625. Scribner & Welford.
Collins, W. The Evil Genius. Harper & Brothers. 25 cents.

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